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PROCEEDINGS

OF THE

COMMON COUNCIL

OF THE

CITY OF BUFFALO.

From January 7th, 1861, to January 6th, 1862.

BUFFALO,
ROCKWELL & BAKER, PRINTERS,
No. 188 Washington Street.

1862.

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MINUTES No. 1.

IN COMMON COUNCIL,
Buffalo, Monday, Jan. 7, 1861,

On the assembling of the new Council, after the dissolution of the old, there were present—Aldermen Adams, Allen, Beckwith, Bemis, Brush, Crowder, Dorr, Felton, Goembel, Grass, Hanovan, Howard, Howell, Jones, Mills, Palmer, Russell, Rutter, Savage, Schwartz, Storck, Walsh, Wheeler, and Yaw.

Absent—Aldermen Pratt and Scheu.

Ald. Howard moved that Ald. Palmer take the Chair.

Ald. Howell moved that Ald. Howard take the Chair. Carried.

On motion of Ald. Howell the Common Council then proceeded to ballot for President of the Council; and on such balloting, Asaph S Bemis received 24 votes; blank, 1; and Asaph S. Bemis was declared duly elected President of the Council.

On taking the Chair the President addressed the Council as follows:

Gentlemen of the Common Council:

I should prove ungrateful toward you, as well as do injustice to the impulses of my own heart, did I not profoundly acknowledge this renewed mark of your favor and esteem.

I had hoped however, that the arduous duties of this chair,—with its honors, might fall upon some other of our number at this time than myself, and that I might be permitted to resume my seat as an humble member of this Board. But your choice, gentlemen, has ruled otherwise, and calls me again to this post, to preside over the deliberations of this Council,—bespeaking a degree of confidence and respect, which I am indeed happy to acknowledge as a high compliment from you.

With many thanks to you therefor, for the honor you have conferred, in again calling me to this chair; and with the hope that our official relations here, may be characterized with a spirit of friendly co-operation with each other, in our efforts to administer the government for the welfare of our city,—and that our official pulse may beat in unison with the wishes and desires of our people; I accept the post to which you have assigned me, and with your friendly aid in all cases wherein I may err in judgement, will endeavor to the best of my ability, to discharge its duties.

Gentlemen, we are entering upon the administration of the affairs of a new year. The accounts of the past have been closed, and a new record will be opened on your account, in which to record your transactions in this Board. The good or bad administration of the city government rests mainly upon you. Experience will teach you that this is the time and season to inaugurate the policy proposed to be pursued by the Council during the term. The Common Council has absolute jurisdiction and control over all the departments of the city government, and power to define and prescribe the duties of officers therein. No liability against the city can be created by any department of the government thereof; no local improvement of a public nature made; no tax levied, nor can a dollar be drawn from the treasury, except by the order of the Common Council. You, gentlemen, have this whole matter in charge, and the records at the end of your respective terms will show the good or bad results of your stewardship.

The past two years have worked salutary reforms in various departments of our municipal government. All business matters amongst our people wear a more lively appearance, and joyfully may we look upon the dawn of returning good cheer and prosperity in our midst.

Let us then pursue a course here which shall revive the courage and strengthen the hopes of our fellow-citizens for the future of our city.

It is indeed deeply to be deplored that any portion of these United States—after passing, in common, so severe a financial revulsion in the land, should come to be afflicted with the elements of revolution in its midst. "Let us counsel moderation and forbearance in our rulers, "until forbearance ceases to be a virtue." Let not the hand of brother be raised against brother, nor the land of our fathers be stained with the blood of our brethren, except in a most holy and righteous cause. But come what may, "for weal or woe," let this Union be preserved, and the Constitution maintained, as the costliest of all earthly treasures.

May God, in his infinite mercy, avert these impending calamities, and lead our countrymen to realize and rejoice—in the language of an eminent divine discoursing upon this topic—"In the fact, that the Ship of State long tossed by tempests and threatened with destruction by conflicting and angry elements, is at last sailing in a calm sea with a law-abiding crew, *and the flag of the Union nailed to her masts.*

Ald. Adams offered the following:

That the salary of City Clerk, be, and the same is hereby fixed for the year 1861, at the rate of nine hundred dollars per year, and one hundred dollars extra, as Clerk to the Board of Health. Adopted.

That this Council do now proceed to an informal ballot for City Clerk.

Ald. Howell moved to amend the said resolution, so that the ballot be a formal ballot. Carried.

And the resolution as amended was adopted.

The Common Council then proceeded to ballot for City Clerk, and on such balloting Otis F. Presbrey received 18 votes and C. S. Macomber 8.

There being only 25 Aldermen present and 26 votes being cast, the ballot was declared irregular.

The Common Council proceeded again to ballot for City Clerk, and on such balloting Otis F. Presbrey received 17 votes and C. S. Macomber received 8 votes; and the said Otis F. Presbrey was declared duly elected City Clerk of the City of Buffalo.

On motion of Ald. Adams the oath of office was then administered by the Clerk to Otis F. Presbrey, Clerk elect.

Ald. Howard moved that a committee of three be appointed to wait on the Mayor and inform him that the

Council will be in session at 2½ o'clock this afternoon, and will be ready to receive any communication which he will be pleased to make. Carried.

Ald. Howard, Storck, and Beckwith were appointed such committee.

Ald. Howell moved that a Committee of three Aldermen be appointed to fix the salaries of officers to be appointed by this Council. Carried.

Aldermen Howell, Adams and Walsh were appointed such Committee.

On motion of Ald. Walsh, the Common Council then adjourned, to meet this afternoon at 2½ o'clock.

C. S. MACOMBER, City Clerk.

IN COMMON COUNCIL,
Buffalo, Monday, January 7th, 1861,
At 2½ o'clock, P. M.

Present — Asaph S. Bemis, Esq., President of the Council, and Ald. Adams, Allen, Beckwith, Brush, Crowder, Dorr, Felton, Goembel, Grass, Hanovan, Howard, Howell, Jones, Mills, Palmer, Pratt, Russell, Rutter, Savage, Schen, Swartz, Storck, Walsh, Wheeler and Yaw.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM HIS HONOR THE MAYOR.

MAYOR'S OFFICE,
Buffalo, Jan. 7th, 1861.

To the Honorable the Common Council of the City of Buffalo:

GENTLEMEN:—The commencement of the fiscal year, with the reorganization of the Common Council, has been the occasion of a message to to your Honorable Body from the Mayor, in which a general statement of the affairs and condition of the city has been presented. In conforming to the custom I beg to remark, that such statements must be general in their nature, and the general information therein contained can only be valuable by the details under them receiving close and careful attention from individual members of your Honorable Body.

The responsibilities which you have assumed, and are expected to properly meet, are of a character that can only be correctly discharged by each member giving much of his time and individual attention to the various subjects presented to you. In a great measure is the growth and prosperity of one of the most healthy and beautiful cities in the world placed in your hands, and undoubtedly much rests with your legislation to attain such desirable ends.

Through the prudent legislation of the Common Councils of the years 1859 and 1860, great reductions have been in the expenditures as compared with preceding years. This has had a salutary effect, and has encouraged our citizens to undertake new enterprises, and strangers to invest their means, where taxation is not excessive. I indulge in the belief that you will make the budget of expenditures for the present year still lower than in either of the years mentioned, thereby proportionately reducing taxation. This can be done, and by so doing you will receive the thanks of your constituencies.

The taxation for the year 1860 has been greater than in 1859, and I have taken occasion to examine why it is so. The legislature of 1859 authorized the payment of one hundred dollars to each of the Aldermen for their salary. This Act was passed after the estimates of 1859 were confirmed, consequently there was borrowed from the contingent fund of 1859, $2,600, which was reimbursed to said fund from the tax levy of 1860; and providing for the payment of their salaries in 1860, $2,600 additional, in the estimates of that year, increased the amount over 1859, $5,200 in this department alone. The contingent fund of 1859 was also drawn upon $1000, to provide for expenditures created by prevalence of small pox, which was likewise reimbursed from the tax levy of 1860.

In the same manner $400 was reimbursed from the fund of 1860 to the election department of 1859. The deficiency arising in that department, was created by an act of the Legislature creating the present expensive election law, after the estimates of that year was confirmed. The cost of holding elections under the new law amounts to fully the amount provided in the estimates of 1860, viz. $1,775, which is an increase in the amount provided in 1859, of $1,075, which in this department increases the amount $1,475 over last year.

The amount of funded debt provided for in 1859, was $24,600; in 1860, $27,000, thus increasing this department $2,400 over 1859.

The amount raised in 1859, for improvements of the Harbor, was $2,000. This year $8,000 was raised by General Fund Tax, increasing the expense in this department, $6,000.

By the purchase of Steam Fire Engines, six thousand dollars have been paid from the estimates of 1860 greater than in 1859.

An additional clerk has been employed in the Treasurer's office, who has been mostly occupied in getting up a statement of a balance account, at an increased expense over 1859, of $600. The estimates for the celebration of 4th of July, 1860, was $500 greater than in 1859.

The estimated resources of 1859, (excluding balance in hand in Local Improvement Fund, and Special Local Improvement Fund, which were not included in estimated resources of 1860,) was $52,100. The same for 1860, was $42,600, a difference against 1860, of $9,500.

The total amount of increased expenditures thus noted, and deficiency in estimated resources, amount to $32,675.

The General Fund Tax of 1859 was $239,419-90; of 1860, $255,073 60.

Thus while proper and unavoidable expenses were met to the amount of $32,675, as aforesaid, the General Fund Tax was increased but $15,653 70.

Real estate has also had increased taxation by reason of the large decrease of personal property taxed. This falling off has been occasioned by the decrease of banking capital, and dissolution of several corporations of large capital. The General Fund Tax, and the annual expenditures for a series of years has been as follows:

General Fund Tax.	Expenditures.
1854—$322,155 00	$313,660 68
1855— 275,580 00	317,834 43
1856— 310,900 00	336,791 29
1857— 297,825 00	456,507 47
1858— 294,777 25	375,411 18
1859— 239,419 90	312,594 13
1860— 255,073 60	

The exact amount of disbursements for the past year cannot now be determined, yet sufficient is known to show that more means were provided than will be required.

The amount of personal property upon which taxes were levied for a number of years, is as follows:

1857,	$8,129,770 00
1858,	6,065,720 00
1859,	5,485,080 00
1860,	4,743,080 00

The Comptroller in presenting his annual statement of anticipated expenditures, for the past year, estimated that $50,137 85, would be required to reimburse the fund of 1859, *for loss on personal Taxes, &c.* The Common Council determined not to include this amount in their estimate, and after thorough examination, I am satisfied that their course was correct, and that there need be no levy made to repair this deficiency.

It has been customary, and no doubt proper, for the Comptroller, at the expiration of any fiscal year, to transfer the balance of the preceding year to the year just closed, thus leaving but one general fund account for all the years prior open, thus 1859 on the 7th of January, 1861, become merged in 1860; and there has balances accrued in '54, '55, '56, '57, and '58, greater than the amount of balance estimated. Take the financial history of the year 1854 for example: the Comptroller estimated in 1855, that there would be as resources for that year, a general fund balance from 1854 of $54,400. Now on examination I find that the Treasurer has transferred from that fund $69-093 24, and yet there was a credit balance in that fund on the 1st of January, 1861, of $1,911 78, making in all an excess of $16,605 02 over amount of balance estimated.

The transfers were as follows:

43,893,24,	to General Fund			1855,	made in	1855.
9,000,00	"	"	"	1856,	"	1856.
10.300,00	"	"	"	1857,	"	1857.
5,900,00	"	"	"	1858,	"	1858.

The total amount of general fund orders outstanding, prior to January 1st, 1860, amount to $24,994 58.

To meet which there is in the Comptroller's office, of the tax of 1854 and 1855, uncollected, about $5,000; sundry debts deemed collectable, amounting to near $1000; balances of general funds since 1853, amounting to $6,586 13, and the indebtedness of Solomon Scheu, late Receiver of Taxes, over $25,000, more than sufficient to cover the entire indebtedness outstanding and unprovided for. There is also a balance of several thousands of dollars in the general fund of 1853.

There has been quite a large amount of money due the city from collectors, and which has remained uncollected and in some instance without a settlement between the city, and the collectors, for a number of years. Notwithstanding a determination on part of city officers to close all such outstanding claims, and much attention on their part thereto, it has been impossible to do so. Yet progress has been made, and they will continue their efforts to effect a settlement of those yet unadjusted at an early day.

A settlement has been made with M. Cadwallader, formerly Comptroller, by which the city realized nearly $3,000.

The suit of John D. Berry has been closed, the City receiving $3,500 in cash.

A settlement has been made with John Helliegell, former collector, by which ample security has been received for the payment of $5,000, with interest, in installments of 2, 3, 4 and 5 years.

A settlement has been agreed upon, but not completed, by which the City will collect the entire amount that was due from Mr. Carpenter.

The large amount due from Mr. Scheu, it is hoped, will be soon realized. The Receiver of the Sacketts Harbor Bank declared a dividend of ten per cent. on the 1st instant, and I have been assured that the receiver will, early in the season, pay a large proportion of the balance due to creditors of the Bank. The original amount of the debt due from Mr. Scheu was $29,993 89—on which there has been received $6,656, leaving a balance (aside from interest) of $23,277 89.

In view of the large amount of money that may be jeopardized, as in the case of Mr. Scheu, I advised, in my inaugural message, that you should require the Receiver of Taxes to deposite the receipts of his office with the Treasurer daily.

By the financial management of the past year City orders have been, since April last, at par, and creditors of the City have not been obliged to resort to brokers to realize on their orders. City orders can and should be kept at par the entire year. An amendment is proposed to the Charter, which, if granted by the Legislature, will, with a continuance of the present judicious system, accomplish this desirable purpose.

The system adopted by the Common Council the past year, requiring the payment of tax scrip to be made at the Comptroller's office, and refusing to assign the same to parties for collection, is, in my judgment, highly proper, and should be adhered to. It protects tax payers from great annoyance, and from large and unnecessary expenses, besides giving the City the benefit of the high rate of interest allowed.

I regret to state that a very large amount of scrip of this character has been issued from the Comptroller's office, to various parties, without security; and as yet satisfactory settlements have not been made with all persons who are thus indebted. Such issue has been, in all instances prior to January, 1860. The Comptroller and Finance Committee have the matter in charge, and have given it much attention, and I have no doubt will soon be able to make proper explanations to your Honorable Body.

The harbor of our City received at the hands of your predecessors that attention and care the importance of the interests involved in its efficiency demanded, and I have no doubt will receive equal consideration from you. Five thousand dollars was appropriated for dredging the harbor outside of the North Pier; but two hundred and sixty-three dollars of that amount remain unexpended. The following amounts were expended for a like purpose: in 1855, $2,000; in 1857, $2,394 64; in 1858, $1,165, and in 1859, $222 75. The improvement of this year was large, and thoroughly done, and, judging from the information I have upon the subject, and by the amount expended in former years, it would seem that not a very large sum would be required for 1861. Six thousand dollars were expended in improving two hundred feet in width in the centre of the Creek, at such points as most required dredging, from the North Pier to South street, one-half of the expense of which was defrayed by local assessment, making the entire cost for the past year nearly eleven thousand dollars. Complaint has been frequently made that vessels get aground at the docks, outside of the channel as excavated the past year. To this subject I particularly desire to ask your attention, as it is very necessary and important that the sides of the Creek should be kept at the same depth of water as the channel. Some years since improvements of this character were made, and the expense assessed upon the property immediately adjacent thereto. A very important improvement can be made to the harbor and to the Erie Basin by removing from eighty to one hundred feet of the old North Pier. I called the attention of the Common Council, last year, to this matter, and understand that action was not taken, on the ground that there were doubts as to their jurisdiction—the Pier having been built and kept in repair by the United States Government. I do not think the objection a valid one; yet if it is so esteemed, your Honorable Body could, without doubt, easily acquire permission to make the removal. Your action in harbor improvements should be prompt, that those contemplated may be completed early in the year.

The management of Schools and their affairs, during the past year, reflects credit on all concerned. At no time in their history was their efficiency so great, or the high purposes they are destined to achieve so successfully demonstrated. I have no recommendations to offer that can possibly improve them, if adopted, and can only earnestly advise that your Honorable Body give every assistance in your power to a continuance of their high efficiency.

By the following statement, an exhibit is made of the General Fund expenses of the Schools for the years named, and the average number of scholars taught:

Years.	Expenditure.	Av. No. Scholars.
1854,	$69,143 71	6,672
1855,	81,239 84	7,369
1856,	85,733 64	6,916
1857,	102,101 86	7,444
1858,	109,773 17	6,295
1859,	84,584 90	7,000
1860,	77,681 66	7,409

The amount named for 1860 is the appropriation, and is sufficient to defray the expenditures of the year.

During the past year the purchase of two Steam Fire Engines has been completed, and at least another should be procured very soon. In my opinion, the time has now come for the Common Council to establish some certain, definite system, and determine how many companies they intend to disband, and at what time. The remaining companies, if any, then would have the benefit of the knowledge that they would be retained so long as they were effective and useful. The interest heretofore felt in the Fire Department seems to have slackened, and I believe more from the vague uncertainty of their condition than to other motives. The vacant Engine Houses and the machinery no longer required, should be disposed of.

There are three points about the City, in the New Territory, which should have Fire Engines. I refer to the two villages of Black Rock and the Cold Springs. In or near each there is a large amount of valuable property, which, if once on fire, must be nearly or entirely consumed before assistance could reach them from the City proper. By disbanding fire companies there will be valuable machines that are not needed, that cannot be sold for much more than half they are really worth, and which, instead of being sold, should be placed in those localities.

No action on this subject can be taken by your Honorable Body without the consent of a majority of the property holders who are to be embraced in this extension of the Fire Department, but I have deemed it proper at this time to invite public attention thereto.

The effective force of the Department consists of two excellent Steam Fire Engines, eight hand Engines, six Hose Carts, and two Hook and Ladder Carts, managed by about five hundred active, able firemen. The expense of maintaining this Department for a number of years has been as follows:

1854,	$22,493 66
1855,	15,898 78
1856,	16,168 41
1857,	18,886 59
1858,	15,273 50
1859,	13,960 02
1860, [estimated]	18,062 00

Of the last amount, seven thousand dollars has been paid for Steam Fire Engines.

The expenses of the Police Department have been as follows:

1854,	$39,575 91
1855,	36,171 09
1856,	37,254 18
1857,	37,173 72
1858,	40,169 42
1859,	36,426 95
1860, not exceeding	34,800 00

One year since I expressed an opinion, held in common with many citizens, that the Police force was larger than necessary. Experience has taught the error of that opinion, and has compelled me to ask an increase rather than its diminishment. The number of Policemen employed is but sixty—five only are detailed for day duty, one at my office, leaving fifty-four to be divided between the four Stations—twelve are assigned to Station No. 3, and by the following statement of the beats, it will be seen how inefficiently citizens and property are guarded. I regret to publish such a statement, but it is more forcible than arguments or appeals.

Beats in Police District Number 3, and Policemen.

Beat No. 1—Main, Washington and Pearl streets, between North and Genesee streets. Policemen—Orra Chandler and Joseph Bachen.

Beat No. 2—Main, Washington and Pearl streets, between Genesee and Court streets. Policemen—Phillip Stauh and Friderik Weiss.

Beat No. 3—Main, Washington and Pearl streets, between Court and Eagle streets. Policemen—George Denny and Christian Bronner.

Beat No. 4—South by Eagle, North by Mohawk and Hospital, East by Pearl, and West by Terrace street. Policemen—James Van Valkenburgh and Jacob Beilman.

Beat No. 5—Sixth, Seventh, Niagara and Ninth streets, between Morgan, Hospital and York streets. Policemen—Anthony Drexelins and Daniel Magarrey.

Beat No. 6—All the Territory West of Pearl, East of Ninth, North of Mohawk, and South of North street. Policeman—Joshua P. Cole.

When it is understood that these men are not on duty all night, but must necessarily spend a part of the time in the Station Houses, your Honorable Body can appreciate the unpleasant position the Chief of Police and myself must often be placed in, when complaints are made that officers cannot be found at night when required. I have investigated many complaints of this character, the past year, and found that the Policeman was on duty, in another part of his beat, and so far removed from where his services were wanted, that no voice could have reached him.

The same statement holds good in the other Districts, except that part of Main, Washington and Pearl, between Eagle street and the Terrace.

The duties of the present Police Department have been arduous, and the various duties deputed to them have been promptly discharged.

The same recommendations made in reference to an extension of fire districts in the new Territory apply to the extension of police districts. Frequent calls have been made for Police aid and men who are detailed to serve there are drawn from service in the city proper. The Police districts should be extended, and the police force increased, as it is impossible and unjust to give the assistance often required; unjust, because that portion of the city pay no part of such expense and are protected at the expense of others.

The receipts and expenditures of the Markets, as well as receipts from butchers for licenses, will be found in the accompanying statement:—

Year.	Receipts.	Expenditures	Licenses
1857 . .	$1,171 24	$4,992 89	$ 388
1858 . .	2,430 96	6,644 21	25
1859 . .	4,487 97	8,780 09	1,125
1860 . . .	4,201 34	about 3,600 00	1,358

The markets have been well managed the past year, and the present market system seems to meet with general satisfaction.

I present a statement of the General Fund debt as it existed on the 1st of January in each year mentioned below:—

1854	$567,563
1855	607,064
1856	577,063
1857	550,750
1858	612,143 75
1859	585,000
1860	579,000
1861	554,000

Twenty-seven thousand dollars of the amount now due was raised by tax in 1860, and is to be applied to the payment of funded debt, leaving a balance of funded debt unprovided for $527,000. Twenty-seven thousand dollars becomes due early in 1862 which must be provided for in this year's estimate.

This steady reduction of debt should be the policy of the city and not departed from. The only addition to this debt that should be permitted for many years, is the bonds of the city issued for building the Ship Canal, which were issued anticipating the collection of taxes to defray the same. It is almost certain, beyond a contingency, that those bonds—amounting to $37,000—will become a general fund debt; this addition to debt is properly chargeable to the bad administration of city affairs at the time the canal was constructed. Eighteen thousand dollars of the above is included in the statement of funded debt—and were issued in 1859.

This last year has witnessed a general revival of business interests, and the administration of city affairs by the Common Council and the executive offices of the city has assisted, in no small degree, to create that revival. Among some of the causes may be named the important harbor improvement—the purchase of a Steam Fire Engine with the understanding that it should be built in Buffalo, which has established the manufacture of that article—the building and completion of nearly seventeen miles of street railway tracks—the manufacture at home of the hose required by the fire department—the improvement of the various parks—the erection of a liberty pole—the building of blast furnaces, etc.

All of the items, except the last, were materially assisted by your Honorable Body, and though some may seem insignificantly small, still even small indications of returning enterprise have their merit and achieve some practical good.

In conclusion, I beg leave to hope that your legislative career may meet with the encouragement and approbation of your fellow citizens, and to assure you that all efforts intended to advance public interests will receive my hearty co-operation.

Very Respectfully,

F. A. ALBERGER, Mayor.

Alf Beckwith moved that the message be received, placed on file and printed with the proceedings. Carried.

FURTHER FROM THE MAYOR.

MAYOR'S OFFICE,
Buffalo, Jan. 7, 1861.

To the Hon. the Common Council.

GENTLEMEN—The usual police force, as authorized by Charter and acts of the Common Council, consists of a Chief of Police, four Captains of Police, eleven Police Constables, and sixty Policemen. In the nominations

presented to you herewith, but nine Police Constables and fifty-six Policemen are named, there being four Policemen and two Police Constables whose term of office expires as follows:

Policeman Leonard Metzger, appointed July 12, 1858 term expires July 12, 1861.

Policeman Peter Weigle, appointed August 2, 1858, term expires August 2, 1861.

Policeman George Dany, appointed November 15, 1858, term expires Nov. 15, 1861.

Policeman Edward Bennet, appointed December 31, 1858, term expires December 31, 1861.

Police Constable Benjamin Toles, appointed April 16, 1860, term expires April 16, 1863.

Police Constable J. F. E. Plogstead, appointed April 16, 1860, term expires April 16, 1863.

All of those were apppointed to fill vacancies in the department, but I think the true construction of the Charter is that all appointments must be made for three years, and that those receiving appointments are entitled to hold them for the full term of three years, unless removed for cause or by resignation. I have nominated the twelve persons confirmed by the Common Council, August 27, 1860, they having immediately after their appointment tendered their resignation, to take effect on the 1st day of January, 1860. I accepted their resignations and have kept them in service since then by creating them specials.

The object of this procedure by resignation was to have all the force paid as near as possible the same salaries. It is believed that those persons would be entitled to $500 per year during the balance of their term, that being the rate received by them last year, instead of which they will now receive but four hundred dollars per year. This was the only mode by which the pecuniary interests of the city could be protected, and a proper equality of payment maintained.

The term of office of all police captains, police constables and policemen, having expired, eqcept those before mentioned, I herewith nominate to your honorable body the persons below named to fill the offices to which they are respectively designated:

Elijah K. Richardson, Jerome B. Shumway, William Messing and Charles Stein, to be captains of police in place of Michael Loftus and Georgu A. Rheinhardt, whose term of office has expired. and in place of Elijah K. Richardson, who resigned Jan. 4th, 1861, and of Peter Weter removed.

Jacob Emerick, David S. Reynolds, David Cooper, George B. Mitchell, Stephen Thornton, John O. Hopkins, Adam Jones, Ei Fontaine, and James Van Valkenburgh to be police constables in place of Courtland Lake, Joel W. Burton, George W. Sherwood, Asa P. Harris, David S. Reynolds, Theobold Stauch, George H. Poth, and Levi H. Williams, and to fill vacancy occasioned by the death of Wm. W. Mason.

Cyrenius C. Harris, Lorenzo Kent, Joseph Lawrence, Joshua P. Cole, William Price, Robert Watts Joseph N. Litz, John Hoernline, Thomas Reilley, (5th ward) Mathias Butler, Adrian Schanne, Louis Neft, Michael Bechtold, John Rich, Philip Stauch, Martin Zimmer, Charles Karvmeyer, Charles Marvell, Jacob Bloom, William Swartzenburgh, Charles Darcy, John B. Behnert, Peter Cannon, Holden S. Howland, John Campbell, Phillip Walls, Peter Reinhardt, Jacob Huntzinger, Thomas Lord, Peter Carr, Edmund Hunn, James Crudden, Lewis Freeman, Frank Micklas, Wendlen Hauser, Julius Scheffel, John B. Bellis, Peter Britz, Frederick Weiss, Nichlas Brick, Michael Storck, Sherman B Burns, Phillip Klein, Joseph Friess, John Kain, Hugh Boyd, John Flinn, Patrick McKernan, Patrick Boyle, Niel Carney, Peter Beiber, Christian Burckhardt, William Saville, Adam Weaver, Charles P. Clapp, Jasper Hodge, to be policemen in place of—

Luzerne Gilbert, Stephen Varley, John Valk, Nicholas Feltes, George Dell, Joseph Backer, James O'Grady, Timothy Crowley, Daniel Magony, Jerome B. Shumway, Joseph Githrie, Anton Drexseliurs, Thomas Hanson, Dennis Collins, Omer Chandler, William Riggs, Onis Martin, John Butler, Michael Seeriter, Charles Darcy, John Walsh, Richard McCarty, Joseph Hoag, Peter Becher, Michael Haley, John Talman, Wm. Sheehan, James Gavin, Patrick Gorman, Henry Foersch, John Zimmer, John Rose, John Hussey, James Van Valdenburgh, Christian Bronner, Charles Marvell, Luke Mc Donogh, James O. Donnell, John Hopkins, Thomas Kennedy, whose term of office has expired, and to fill vacancies occasioned by resignations and removals

Respectfully submitted,

F. A. ALBERGER, Mayor.

Ald. Howard moved that the Council sit with closed doors while considering the communication from the Mayor nominating Policemen, &c.

Lost for want of a two-third vote. Ayes, 12; Noes, 13.

Ald. Pratt moved that the communication of the Mayor be received and placed on file, and the consent of the Common Council is hereby given to the appointment of the several Police Constables, Captains of Police and Policemen therein named.

Ald. Beckwith offered the following as an amendment to the motion of Ald. Pratt, and moved its adoption.

Whereas His Honor the Mayor, in his last annual communication to this Council, uses the following language upon the subject of the Police: "The Police system has been highly commended, and is believed to be effective and capable of answering the purposes desired. I am under the impression that the number of men employed is larger than is necessary, and believe it should be reasonably reduced."

And, whereas, the number of Police recommended by His Honor the Mayor to this Council for confirmation is greater than the number of Police at the time of his said annual communication.

And, whereas, the Mayor and a majority of the Common Council were elected upon the pretended issue that the expenses in all the Departments of the City Government were to be lessened, and particularly the expenses of the Police Department; and, whereas, integrity and good faith to the tax-payers require that promises made before election should be kept after election; therefore,

Resolved, That said communication be sent back to His Honor the Mayor, with instructions that in the opinion of this Council, 40 policemen, selected for their fitness for the offices, rather than for services as political partizans, are sufficient to protect the varied interests of our city.

Ald Adams moved the previous question which was ordered.

The question was then taken on the amendment offered

by Ald. Beckwith, and the same was lost. Ayes, 7, Noes, 19.

The motion of Ald. Pratt was then carried. Ayes, 19; Noes, 6.

FURTHER FROM THE MAYOR.

MAYOR'S OFFICE,
Buffalo, Jan. 7, 1861.

To the Hon. Common Council:

GENTLEMEN—With this communication I transmit the report of the Chief of the Police for the quarter ending December, 31, 1860, and also containing a summary of the quarterly report of the year.

Respectfully,

F. A. ALBERGER, Mayor.

Received and placed on file, and the report of the Chief of Police ordered printed.

REPORT OF THE CHIEF OF POLICE.

Hon. F. A. Alberger, Mayor:

SIR:—In conformity with the rules and regulations instituted for the better government of the Police Department, I herewith submit to your Honor my quarterly report of the business and condition of the department for the fourth quarter of the year 1860, which embraces the months of October, November and December.

This being, however, the closing quarter, I have extended the limits of the report to the business of the year, in order to afford at one time a better understanding of the labors and general workings of the department.

The arrests for the quarter exceed the arrests of the corresponding quarter of the year 1859, one hundred and thirty-three (133.) They are as follows:

Vagrancy	71
Disorderly conduct	258
Drunkeness	133
Drunk and Disorderly	122
Assault and Battery	21
Petit Larceny	66
Grand Larceny	16
Burglary	6
Highway Robbery	2
Picking Pockets	8
Passing counterfeit money	3
Gambling	2
Seduction	1
Bigamy	1
Manslaughter	1
Fraud	2
Escaped convicts	2
Arson	1
Rape	2
Malicious trespass	5
Insane	3
Total	716

In addition to the number of arrests, as above, there have been lodged, not charged with crime, two hundred and ninety-three persons, making a total of persons arrested and persons lodged of ten hundred and nine persons (1,009.)

The total of arrests for the year, as will be seen from a table attached to this report, is two thousand six hundred and eighty eight (2688.)

The total of persons arrested and persons lodged for the year, is three thousand eight hundred and sixty, (3860.)

In comparing the table of arrests of the present year (1860) with that of 1859, I find there is a decrease of crime shown, and this decrease is the more manifest from the record of property reported as stolen, kept at my office.

I allude to this decrease with much pleasure, not only because it shows to some extent the efficiency of the department in the prevention of crime, but also, because it speaks improvingly of the morals of the city.

Five hundred and eight of the arrests reported for the quarter, are chargeable to the excessive use of intoxicating liquor and to disorderly conduct.

Most of the arrests made for disorderly conduct were females, leading a life of shame.

Two hundred and eight females were arrested during the quarter, and seven hundred and two during the year.

But few of the number arrested, however, were charged with the higher grades of crime, as only eighteen of the number arrested during the quarter were taken for larceny and one for bigamy. Of the eighteen arrested for larceny, three were professional shop-lifters.

Seventy-four arrests have been made by the day force attached to my office during the quarter; twenty-one of which were petit larceny, ten for grand larceny, three for burglary, one for highway robbery, one for manslaughter, three for passing counterfeit money, and three for picking pockets.

The number of arrests made by the day force, for the year, is two hundred and fifty-two

The business of the day force is wide and varied, requiring often times the exercise of much more than ordinary skill and judgment. A larger number than I have had at my command, could have been employed with benefit to the city.

Aside from the labors of the police, as given in the tables attached, there has been a large amount of service performed to the public. Stray horses have been taken in charge, and returned to their owners, lost children found and restored to their parents, and fires discovered, often in time to prevent much destruction of property.

There has been lost sixty-seven days, by policemen, from sickness.

When sickness is the result of the efficient performance of duty, the time so lost, in general, should, in my opinion, be allowed.

During the quarter there has been one suspension, and two resignations from office. The suspension was for neglect of orders.

I scarcely need remark, that to give efficiency to the department, the rules and regulations made for its government, must be observed. Such violations as have come to my knowledge have received their proper attention.

There have been only nineteen persons sent to the Poor House, from the police stations, the present quarter. The number sent during the year, is one hundred.

The amount of property reported at my office, as stolen within the limits of the city, during the year, is much smaller than for either previous year of my administration. Much of the larger share reported has been recovered and returned to the owners, and the persons committing the larcenies arrested.

There has also been a considerable amount of property recovered, stolen in other places, and with the recovery of the property, the arrest of the thieves has been effected.

The number of complain's made at my office during and for the year for violations of the city ordinances have not been numerous. These coming more immediatley within the province of the department for its notice, have been submitted to the City Attorney for disposal.

So far as I am able to judge, from the complaints made, and the Captain's returns from their Police Stations, the ordinances in relation to the Sabbath have been as well observed as for years previous.

Perhaps I should here remark that but little complaint has been made against the hackney coachmen. Their general conduct at the railway depots, and other places of resort, where they assemble, has been of a creditable character.

The expenses of the department the present year have been considerably less than the year previous, and over three thousand under the year 1858.

The estimate for the expenses of the department the present year, as fixed by the Council, is $35,505 00.

The amount of fines collected by the Watch House Justices and Police Constables, and receipted by the Watch House Justices, for the year, is two thousand one hundred and forty dollars and twenty-five cents.

The amount stands credited as follows:

To H. B. Burt	$31 00
Chas. Gardner	1,735 25
C. T. Shattuck	374 00
	$2,140 25

The amount of fines, however, collected through the agency of the Police Department, is much larger than would appear from the above statement; but I have no direct means of knowing what that amount is, as only the fines received through the police stations are reported at my office

As this is the closing report of my official term, I cannot refrain from expressing to your Honor my obligations to the captains of police and policemen who have acted under me, and whose term of office expires with mine, for their general good conduct and disposition manifested to perform their duties, often laborious, as well as dangerous, in a creditable manner.

During the time which I have held the office, there has been no riot or other public disturbance of a character to require the services of extra policemen. The system I do not regard as perfect yet. It has been quite effective in the protection of life, property and the public peace of the city. Respectfully submitted,

R. H. BEST, Chief of Police.

Quarterly Statement of persons arrested for various offences, and of persons lodged at the four Police Stations for the fourth quarter of the year 1860.

POLICE DISTRICT No. 1.

	Oct	Nov.	Dec.	Total
Vagrancy	6	9	16	31
Disorderly	44	63	43	150
Drunkenness	15	20	23	58
Drunken and Disorderly	34	31	12	77
Assault and Battery	7	1	2	10
Petit Larceny	14	20	13	47
Grand Larceny	7	3	1	11
Burglary	2	1	1	4
Highway Robbery	..	2	..	2
Pickpockets	2	1	..	3
Passing Counterfeit Money	1	2	..	3
Gambling	..	2	..	2
Seduction	1	..	..	1
Bigamy	1	..	..	1
Manslaughter	..	1	..	1
Fraud	..	.	..	3
Escaped Convicts	1	1	..	2
Insane	..	..	..	1
Lodgers	43	57	75	175
Total				582

POLICE DISTRICT No. 2.

	Oct.	Nov.	Dec.	Total.
Vagrancy	5	2	6	13
Disorderly	11	21	3	35
Drunkenness	9	6	2	17
Drunken and Disorderly	9	5	15	29
Assau't and Battery	1	1	2	4
Petit Larceny	5	..	1	6
Rape	..	..	1	1
Arson	..	..	1	1
Insane	1	..	..	1
Lodgers	13	15	29	57
Total				164

POLICE DISTRICT No. 3.

	Oct.	Nov.	Dec.	Total.
Vagrancy	5	7	11	23
Disorderly	6	18	5	29
Drunkenness	14	10	11	35
Drunken and Disorderly	1	..	3	4
Assault and Battery	3	1	..	4
Petit Larceny	4	2	1	7
Grand Larceny	4	1	..	5
Burglary	2	..	..	2
Lodgers	10	14	22	46
Total				155

POLICE DISTRICT No. 4.

	Oct.	Nov.	Dec.	Total.
Vagrancy	2	..	2	4
Disorderly	8	10	21	39
Drunkenness	14	6	3	23
Drunk and Disorderly	9	1	2	12
Assault and Battery	2	1	.	3
Petit Larceny	..	2	4	6
Malicious Trespass	..	..	5	5
Insane	..	1	..	1
Lodgers	7	5	3	15
Total				108

STATEMENT FOR THE YEAR 1860.

Vagrancy	343
Disorderly	657
Drunkenness	409
Drunk and Disorderly	740
Assault and Battery	90
Petit Larceny	270
Grand Larceny	51
Burglary	43
Highway Robbery	11
Pick-pockets	12
Passing Counterfeit Money	23
Gambling	3
Seduction	3
Bigamy	1
Manslaughter	1
Fraud	3
Escaped Convicts	2
Murder	1
Arson	4
Rape	4
Mehem	2
Assault with Intent to Kill	1
Receiving Stolen Goods	3
False Pretense	5
Indecent Exposure	1
Malicious Trespass	5
Insane	11
Lodgers	1161
Total	3860

Ald. Adams, from the Special Committee on Salaries reported the following:

Resolved, That the salaries of the officers to be appointed and elected by the Common Council for the year 1861 be, and the same are hereby fixed as follows:

Chief of Police, per year	$1,000 00
Fire Marshall, per month	60 00
Auditor, per year	900 00
Clerk of the Markets, per year	750 00
Watch House Justices for each Station, per y'r	150 00
Health Physician, per year	500 00
Health Commissioners, each, per year	150 00
Harbor Masters, each, per year	500 05
Street Inspectors, for each day's actual service	1 20
Porters to City Buildings, each, per year	350 05
Watchmen to Bell Tower, each, per day	1 20
Porter to Elk street Market, per year	400 00
Porter to Washington street Market, per year	400 00
Porters to Niagara and Clinton Markets, each, per year	300 00
Sergeant-at-Arms and Messenger to Common Council for each days attendance, each	1 00
Keepers of Prospect Hill and Court House Parks for each day's actual service, each	1 00
City Scavenger, per year	300 00
Engineer of Fire Department, per month	80 00
First Assistant " per year	100 00
Second " " per year	75 00
Third " " per year	50 00
Engineers to Steam Fire Engines, each, per mo.	45 00
Firemen " " " per month	25 00
Drivers " " " per month	25 00
Clerk to Fire Commissioners, per year	50 00

Resolved, That the salaries of the different clerks or assistants to be employed by the several departments of the City Government, during the present year be and are hereby fixed as follows:

COMPTROLLER'S DEPARTMENT.

Deputy Comptroller, per year	$800 00
Book-keeper, "	700 00
Two Clerks, each per month	45 00

CITY CLERK'S DEPARTMENT.

Deputy Clerk, per year	$800 00
One Clerk, per year	600 00

TREASURER'S DEPARTMENT.

One Clerk, per year	$700 00

RECEIVER'S DEPARTMENT.

One Clerk, per year	$800 00
Two Clerks, per month	45 00

STREET COMMISSIONER'S DEPARTMENT.

One Clerk, per year	$750 00

SURVEYOR'S DEPARTMENT.

Assistant Surveyor, per year	$750 00
One Clerk, "	500 00
One Rodman, "	350 00
One Axeman, "	350 00

GAS-KEEPER'S DEPARTMENT.

Two Clerks, each per year	$400 00
One Clerk for eight months of the year, at the rate per year	$300 00

FIRE MARSHAL'S DEPARTMENT.

Two Porters, each per year	$350 00

BOARD OF HEALTH.

Two Health Inspectors, at the rate, each per day of	$ 1 50

Adopted.

Ald. Adams offered the following resolution:

Resolved, That the Common Council do now proceed to ballot for officers to be elected in the following named order, viz:

Fire Marshall.
Auditor.
Clerk of the Markets.
Watch House Justice.
Health Physician.
Three Health Commissioners, on one ballot.
Two Harbor Masters, on one ballot.
Five Street Inspectors, on one ballot.
Two Porters to City Buildings, on one ballot.
Two Watchmen to Bell Tower, on one ballot.
Four Porters to Markets, on one ballot.
Sergeant-at-Arms to Common Council.
Messenger to Common Council.
Keepers of Prospect Hill and Court House Parks, on one ballot.
City Scavenger.
Chief Engineer of the Fire Department.
First Assistant Engineer do.
Second Assistant Engineer do.
Third Assistant Engineer do.
Two Engineers to Steam Fire Engines, on one ballot.
Two Firemen to " " " " " "
Two Drivers to " " " " " "
Keeper of the Pest House.
Two Sealers of Weights and Measures on one ballot
City Sexton.

Ald. Howard moved to amend said resolution by inserting the following after the words "Watch House Justice":—

That this Council proceed to the election of one Watch-house Justice, the Council hereby reserving to itself the right to appoint another Watch-house Justice, and hereafter to divide the business of the different Stations between them as they shall deem proper.

Amendment accepted, and resolution as amended adopted.

The Common Council then proceeded to ballot for Fire Marshal, and on such balloting

David Kissock received	18 votes.
H. C. Carey "	7 "

And the said David Kissock having received the highest number of votes, was declared duly appointed Fire Marshal of the City of Buffalo.

The Council then proceeded to ballot for Auditor, and on such balloting

William Fleming received	16 votes.
William H. Albro "	8 "
Philip Nathnagel "	1 "

And the said William Fleming having received the highest number of votes, was declared duly appointed Auditor of the City of Buffalo.

The Council then proceeded to ballot for Clerk of the Markets, and on such balloting—

Cornelius Boorom received	18 votes.
John Lorenz "	1 vote.
J. Peckham, "	7 votes.

And said Cornelius Boorom, having received the highest number of votes, was declared duly appointed Clerk of the Markets of the city of Buffalo.

The Council then proceeded to ballot for Watch House Justice and on such balloting—

Warren Lampman received	15 votes.
Cornelius Wadron received	6 "
Charles Gardner "	2 "
Joseph Zoog "	1 vote.

And the said Warren Lampman, having received the highest number of votes, was declared duly appointed Watch House Justice of the city of Buffalo.

The Council then proceeded to ballot for Health Physician, and on such balloting

Jacob Whittaker received ..... 17 votes.
Wm. Gould " ..... 8 "

And the said Jacob Whittaker, having received the highest number of votes, was declared duly appointed Health Physician of the city of Buffalo.

The Council then proceeded to ballot for three Health Commissioners, on one ballot, and on such balloting:

Jason Sexton received ..... 18 votes
Thomas R. Stocking " ..... 18 "
Jacob Gittrie " ..... 18 "
Dr. J. J. Richards " ..... 7 "
Thomas Hanson " ..... 7 "
Dr. Casper Riddle " ..... 7 "

And the said Jason Sexton, Thomas R. Stocking, and Jacob Gittrie, having receiving the highest number of votes were declared duly appointed Health Commissioners of the City of Buffalo.

The Common Council then proceeded to ballot for two Harbor Masters, on one ballot, and on such balloting

Joseph Whittet received ..... 18 votes
Levi Vallier " ..... 18 "
F. P. Billings " ..... 7 "
Samuel W. Bagnall " ..... 7 "

And the said Joseph Whittet, and Levi Vallier having received the highest number of votes were declared duly appointed Harbor Masters of the City of Buffalo.

The Council then proceeded to ballot for five Street Inspectors on one ballot, and on such balloting—

Jacob Sohrn received ..... 18 votes.
John Drexler " ..... 18 "
John B. Sewell " ..... 18 "
Frederic Smelzer " ..... 18 "
Charles Broshart " ..... 18 "
Patrick Scanlon " ..... 8 "
William Rose " ..... 4 "
Henry Beckstein " ..... 8 "
Timothy Donovan " ..... 8 "
Stephen Selfs " ..... 8 "
E. C. Hull " ..... 4 "

And the said Jacob Sohrn, John Drexler, John B. Sewell, Frederic Smelzer and Charles Broshart, having received the highest number of votes, were declared duly appointed Street Inspectors of the City of Buffalo

The Council then proceeded to ballot for two Porters to the City Buildings, and on such balloting—

Elijah Wells received ..... 18 votes.
Hiram Atwood " ..... 18 "
Patrick Maroney " ..... 9 "
William Hackett " ..... 8 "
James Adams " ..... 1 vote.

And the said Elijah Wells and Hiram Atwood, having received the highest number of votes, were declared duly appointed Porters to the City Buildings.

The Common Council then proceeded to ballot for watchmen to bell tower, and on such balloting,

John Brusch received ..... 18 votes
George Redline " ..... 18 "
William Riggs " ..... 8 "
Francis Smalley " ..... 8 "

And the said John Brusch and George Redline were declared duly appointed watchmen to the bell tower of the city of Buffalo.

The Common Council then proceeded to ballot for Porters to Markets, and on such balloting,

John Walkomn received ..... 18 votes
James Ackland " ..... 18 "
Abram P. Dean " ..... 18 "
Geo. B. Gerring " ..... 18 "
John Madden " ..... 8 "
John Hopkins " ..... 8 "
George Lenk " ..... 8 "
Casper Drixelens " ..... 8 "

And the said John Walkomn was declared appointed Porter of Washington Market; John Ackland, Porter to Elk Street Market; Abram P. Dean, Porter to Niagara Market, and Geo. B. Gerring, Porter to Clinton Market.

The Common Council then proceeded to ballot for Sergeant-at-Arms to the Common Council, and on such balloting—

George Orr received ..... 24 votes.
John H. Barton " ..... 1 vote.

And the said George Orr was declared duly appointed Sergeant-at-Arms of the Common Council of the City of Buffa'o.

The Common Council then proceeded to ballot for Messenger to the Common Council, and on such balloting—

John H. Barton received ..... 25 votes.
George Orr " ..... 1 vote.

And the said John H. Barton was declared duly appointed Messenger to the Common Council.

The Common Council then proceeded to ballot for Keeper of Prospect Hill and Court House Parks, and on such balloting—

Jerry Keefe received 16 votes as Keeper of Court House Park.

Samuel Green received 18 votes as Keeper of Prospect Hill Parks.

Blank ..... 5 votes.
P. J. Webber ..... 2 "
Ald Adams ..... 2 "
Ald Howard ..... 2 "

And the said Jerry Keefe and Samuel Green were declared duly appointed Keepers of Parks as above designated.

The Common Council then proceeded to ballot for City Scavenger, and on such balloting

Peter Hurbts received ..... 18 votes.
Peter Schlehr " ..... 8 "

And the said Peter Hurbts was declared duly appointed City Scavenger of the city of Buffalo.

The Common Council then proceeded to ballot for Chief Engineer of the Fire Department, and on such balloting

William Taylor received ..... 17 votes.
John Lorenz " ..... 8 "
Geo. M. Love " ..... 1 "

And the said William Taylor was declared duly appointed Chief Engineer of the Fire Department of the city of Buffalo.

The Common Council then proceeded to ballot for first Assistant Engineer of the Fire Department, and on such balloting

John T. Spaulding received ..... 17 votes.
A. W. Gerard " ..... 6 "
Richard Weston " ..... 1 "

And the said John T. Spaulding was declared duly appointed First Assistant Engineer of the Fire Department of the city of Buffalo.

The Common Council then proceeded to ballot for Second Assistant Engineer of the Fire Department of the City of Buffalo, and on such balloting—

Philip Welch received ..... 20 votes.
S. W. Howell " ..... 1 "
John Kesler " ..... 2 "
Hugh Mooney " ..... 2 "

And the said Philip Welch, having received the greatest number of votes, was declared duly appointed Second Assistant Engineer of the City of Buffalo.

The Common Council then proceeded to ballot for Third Assistant Engineer of the Fire Department, and on such balloting—

Louis P. Maurer received	16	votes.
L. Cornell "	2	"
Louis Nell "	2	"
Blank "	2	"

And the said Louis P. Maurer was declared to be duly appointed Third Assistant Engineer of the Fire Department of the City of Buffalo.

The Common Council then proceeded to ballot for two Engineers for the Steam Fire Engines, to be named on one ballot, and on such balloting—

Charles H. McWhorter received	19	votes.
Donald Thane "	20	"
D. Dennison "	2	"
—— White "	2	"

The said Charles H. McWhorter and Donald Thane were declared to be duly appointed Engineers of the Steam Fire Engines.

The Common Council then proceeded to ballot for two Firemen for the Steam Fire Engines, to be named on one ballot, and on such balloting

Nathaniel Negus received	18	votes.
Henry S. Riddle "	18	"
Pat Gorman "	2	"
Asa White "	1	"
P. Shultz "	1	"
Conrad Andre "	1	"
Gotlieb Schul "	1	"
John T. Spaulding "	1	"

And the said Nathaniel Negus and Henry S. Riddle were declared duly elected Firemen for the Steam Fire Engines.

The Common Council then proceeded to ballot for two Drivers for the Steam Fire Engines, to be named on one ballot, and on such balloting

William H. Abbott received	18	votes.
Jacob Pfhol "	18	"
F. Sauerwine "	4	"
Asa White "	4	"

And the said William H. Abbott and Jacob Pfhol were declared duly appointed Drivers for the Steam Fire Engines.

The Common Council then proceeded to ballot for Keeper of the Pest House, and on such balloting:

William Miller received	14	votes.
C. McComber "	4	"
Chickendanser "	1	"
Howell "	3	"
Blank "	1	"

And the said William Miller was declared duly appointed Keeper of the Pest House.

The Common Council then proceeded to ballot for two Sealers of Wrights and Measures, and on such balloting

Thos. J. Smith received	18	votes.
Conrad Selber "	18	"
Michael Loftus "	8	"
John Walter "	8	"

And the said Thomas J. Smith and Conrad Selber were declared duly appointed Sealers of Weights and Measures for the City of Buffalo.

The Common Council then proceeded to ballot for City Sexton, and on such balloting

Philip Nathnagel received	16	votes.
Jno. Rodney "	7	"
Chas. McComber "	1	"

And the said Philip Nathnagel was declared duly appointed City Sexton.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald Howard—That the salary of the Jubilee Water Commissioner be and the same is hereby fixed at one hundred dollars for the year 1861. Adopted.

That Gotlieb Woelfle be and he is hereby appointed Jubilee Water Commissioner for the year 1861. Adopted.

By Ald Adams—That Jason Sexton be and he is hereby elected President of the Board of Health. Adopted.

By Ald Mills—That a Commsttee of five be appointed by the President to fix upon the amount of bail to be given by all officers of the city, elected or appointed by this Council, and report. Adopted.

The following named Aldermen were appointed such committee: Ald Mills, Howard, Howell, Beckwith and Walsh.

By Ald. Howell—That a Committee of three be appointed by the President of the Council upon the subject of Prospect Hill Parks. Adopted.

Ald. Howell, Howard and Scheu were appointed.

By Ald. Howard—That a Committee of five be appointed to prepare and report rules of order for the Council for the year 1861. Adopted.

Ald. Howard, Adams, Yaw, Beckwith and Hannovan were appointed.

By Ald. Howard—That a Special Committee of three be appointed on the subject of Grosvenor Library. Adopted.

Ald. Howard, Palmer and Felton were appointed.

Ald. Walsh moved that the Council adjourn until Monday next, at 2 o'clock.

Ald. Howard moved to adjourn until to-morrow at 2 o'clock.

Ald. Pratt moved to adjourn until to-morrow evening at 7 o'clock.

Ald. Beckwith moved to make the time one week from to-day, at 2 o'clock.

Ald. Jones moved to make the time Wednesday evening, at 6 o'clock. Lost.

The motion of Ald. Beckwith was then lost.

The motion of Ald. Pratt, to adjourn until to-morrow evening, at 7 o'clock, was then carried.

The Common Council then adjourned, to meet to-morrow evening, January 8th, 1861, at 7 o'clock.

O. F. PRESBREY, City Clerk.

IN COMMON COUNCIL,
Buffalo, Tuesday, January 8th, 1861,
At 7 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council, and Ald. Adams, Allen, Beckwith, Brush, Crowder, Dorr, Felton, Grass, Hanovan, Howard, Howell, Jones, Mills. Palmer, Rutter, Scheu, Schwartz, Storck, Walsh, Wheeler and Yaw.

Absent—Ald. Goembel, Pratt, Russell and Savage.

The reading of the minutes of the last meeting was dispensed with.

The President announced the following Standing Committees:

STANDING COMMITTEES.

Finance—Howard, Pratt, Yaw, Palmer, Beckwith.

Schools—Wheeler, Howell, Howard, Pratt, Dorr, Storck, Beckwith.

Streets—Palmer, Yaw, Howell, Mills, Brush, Wheeler, Walsh.

Sewers—Brush, Palmer, Swartz, Mills, Hanovan.

Side and Cross Walks—Swartz, Adams, Allen, Storck, Grass.

Fire—Yaw, Adams, Palmer, Allen, Jones.

Water—Pratt, Jones, Crowder, Brush, Walsh.

Claims—Howell, Howard, Beckwith, Yaw, Wheeler.

Police—Mills, Storck, Pratt, Allen, Felton.

Markets—Storck, Dorr, Swartz, Yaw, Hanovan.

Wharves, Harbors and Ferries—Allen, Dorr, Mills, Yaw, Scheu.

Public Grounds — Dorr, Russell, Brush, Wheeler, Walsh.

Public Lamps—Adams, Yaw, Mills, Savage, Goembell.

License—Russell, Jones, Savage, Crowder, Rutter.

Sanitary Measures—Savage, Adams, Crowder, Jones, Goembel.

New Territory—Crowder, Howell, Howard, Russell, Rutter.

The President announced that Pratt & Co.'s Iron Works at Black Rock were on fire. Ald. Howard moved that the Chief Engineer and Fire Marshal be authorized to proceed to said Works with one of the Steam Fire Engines. Carried.

Ald. Palmer moved that the Rules of the Council for the year 1860, except Rule No. 29, govern this Council until other Rules are adopted. Carried.

Ald. Howell and Dorr asked for permission to leave the Council. Permission granted.

COMMUNICATIONS FROM THE MAYOR.

MAYOR'S OFFICE, BUFFALO,
January 8, 1861.

To the Hon. the Common Council of the City of Buffalo:—

GENTLEMEN,—A clerical error occurred in transcribing the name of Christian Burckhardt in the message I sent to your honorable body on the 7th instant, containing the nominations of policemen. It is there stated to be Charles Burckhardt, instead of Christian, as it should be. I respectfully ask that the error be corrected.

Respectfully submitted,

F. A. ALBERGER, Mayor.

Filed, and Clerk directed to make proper correction.

REPORTS OF COMMITTEES.

Ald. Howard, from the Committee on Finance, reported in favor of the adoption of the following resolutions:—

That an order be drawn on the General Fund balance of 1853 for $352 86, in favor of the Comptroller, and that he deposit the same with the Treasurer to the credit of the Fund for grading and leveling Ninth street, between Maryland and York streets. Adopted.

That an order be drawn on the General Fund balance of 1853 for $38 52, in favor of the Comptroller, and that he deposit the same with the Treasurer to the credit of the Fund for grading and paving Niagara street from Hudson street to city line. Adopted.

That an order be drawn on the General Fund balance of 1853, in favor of the Comptroller, for $270 89, and that he deposit the same with the Treasurer to the credit of the fund for sidewalk on both sides of Delaware street between Niagara and Virginia streets. Adopted.

That an order be drawn on the General Fund balance of 1853, in favor of the Comptroller, for $19 41, and that he deposit the same with the Treasurer to the credit of the fund for repairing pavement on Swan street between Michigan and Pine streets. Adopted.

That an order be drawn on the General Fund balance of 1853, in favor of the Comptroller, for $11 27, and that he deposit the same with the Treasurer to the credit of the fund for sidewalk on Louisiana, Mackinaw and Tennessee streets. Adopted.

That an order be drawn on the General Fund balance of 1853, in favor of the Comptroller, for $213 45, and that he deposit the same with the Treasurer to the credit of the fund for grading and leveling Twelfth street, between Hudson and York streets. Adopted.

That an order be drawn on the General Fund, balance of 1853, for $32 02, in favor of the Comptroller, and that he deposit the same with the Treasurer, to the credit of the fund for grading and working Oak street, between Genesee and High street. Adopted.

That an order be drawn on the General Fund, balance of 1853, for $5 69, in favor of the Comptroller, and that he deposit the same with the Treasurer, to the credit of the fund for Sewer in Batavia and Ellicott streets, from Michigan street to 40 feet north of Clinton street. Adopted.

That an order be drawn on the General Fund, balance of 1853, for $61 70, in favor of the Comptroller, and that he deposit the same with the Treasurer, to the credit of the fund for sewer in Franklin street, from Genesee street to Tupper street. Adopted.

That an order be drawn on the General Fund, balance of 1853, for $87 62, in favor of the Comptroller, and that he deposit the same with the Treasurer, to the credit of the fund for paving Oak street, between Huron and Genesee streets. Adopted.

That order No. 2,926, dated, Sept. 7, 1857, for $25, on fund for bridge over ravine on Clinton street, between Bond street and New York C. R. R., be divided into two orders, of same date, in favor of John F. Stafford. Adopted.

Ald. Adams, by unanimous consent, offered the following resolutions:

That the appointment by the Council, at its meeting held Dec. 31st, 1860, of Adam Metz as Commissioner of Deeds, be rescinded for the reason that an error occurred in copying said name, the same being intended for Abram Metz. Adopted. Ayes 19, noes 0.

That Abram Metz be appointed Commissioner of Deeds. —Adopted.

SPECIAL COMMITTEES.

By Ald. Mills.

To the Hon. the Common Council:

The Special Committee appointed to consider and report upon the number of the different officers of the city of Buffalo, which this Council will require to give security for the faithful discharge of the duties of their respective offices, beg leave to report the following as the names o the officers which should give such security, and fix the amount of the bond set opposite the name of the office; also the sureties and the amount in which each should justify:—

Chief of Police, $4000, with two sureties of $2000 each.

Assessor, $2000, with two sureties of $1000 each.

Clerk of the Markets, $8000, with two sureties of $4000 each.

Water Commissioner Jubilee Water Works, $1000, two sureties of $500 each.

Watch House Justice, $4000, two sureties of $2000 each.

City Clerk, $2000, with two sureties of $1000 each.

Fire Marshal, $5000, with two sureties of $2500 each.

Auditor, $2000, with two sureties of $1000 each.

Sealers of Weights and Measures, $2000 each, with two sureties of $1000 each.

Harbor Masters, $1000 each, with two sureties of $500 each.

And would offer the following resolution:—

Resolved, That the respective city officers, named in the foregoing list, be required to give security for the faithful discharge of the duties of their respective offices in a bond in a penalty of the sum named opposite the office respectively, with [illegible] to justify as stated in such list; such bond to be in the form prescribed by the Charter. Adopted.

Ald. Adams [illegible] Council do now adjourn, to meet next Monday afternoon, at 2 o'clock. Carried.

The Common Council [illegible] adjourned, to meet next Monday [illegible] 14th, 1867, at 2 o'clock.

[illegible] PRESBREY, City Clerk.

MINUTES No. 2.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Jan. 14th, 1861,
at 2 o'clock, P. M.

Present.—Asaph S. Bemis Esq, President of the Council, and Aldermen Allen, Beckwith, Brush, Crowder, Dorr, Felton, Goembel, Grass, Hanovan, Howard, Howell, Jones, Mills, Palmer, Russell, Rutter, Savage, Scheu, Schwartz, Storck, Walsh, Wheeler, and Yaw.

Absent—Aldermen Adams, and Pratt

The minutes of the meetings held January 7th and 8th, 1861, were approved.

COMMUNICATIONS FROM HIS HONOR THE MAYOR.

MAYOR'S OFFICE,
Buffalo, Jan. 14, 1861.

To the Hon. Common Council:

Gentlemen—I return without my approval a resolution adopted on the 5th inst, directing an order to be drawn in favor of F. Schickendantz for services as keeper of the Pest House.

The objection to the resolution is that the amount of the order exceeds the appropriation determined upon for the maintenance of the Board of Health department for 1860.

Respectfully,

F. A. ALBERGER, Mayor.

Referred to Committee on Sanitary Measures.

PETITIONS.

Of T. Pinner, for declaration of sale on lot east side of Monroe street, 277 feet south of Sycamore street, 25 feet front by 109 feet deep.

Of same, for same on lot southeast side of Maryland street, 25 feet southwest of Tenth street, 25 feet front by 116 feet deep.

Of same, for same on lot west side of Ash street, 150 feet north of Sycamore street, 25 feet front by 150 feet deep.

Of same, for same on lot west side of Mulberry street, 100 feet north of Goodell street, 25 feet front by 109 feet deep.

Of Henry Morse, to have tax sale cancelled. Referred to Committee on Finance.

Of Jacob A. Gittrie to be appointed Commissioner of Deeds.

Of Nelson Hopkins, to be appointed Commissioner of Deeds. Referred to Committee on Schools.

Of sundry persons, for plank sidewalk on east side of Emslie street, between William and Howard streets; also, side walk on Hamilton street.

Of Ellen Gleason, for compensation for injuries sustained by falling on a defective sidewalk. Referred to Committee on Side and Cross Walks.

Of James O'Brian, in relation to rent. Referred to Committee on Fire and City Attorney.

Of sundry persons, for permission to erect a wooden building on north side of Tupper street. Referred to Committee on Fire.

Of Wm. T. Barnes, for permission to sell fresh meat at shop on corner of Carolina and Seventh streets. Referred to Committee on License.

Petition of James H. Baker, for a Fireman's certificate. Referred to City Clerk with power.

Leonard Read for same.

Petition of Philip Reinhardt, for permission to erect a wooden addition to his woodshed in the rear of his dwelling on the northerly side of Tupper street, 257 feet west of Delaware street, said addition to be 10 by 16 feet and 12 feet high.

Ald. Palmer moved that the prayer of said petition be granted, under the direction of the Fire Marshal, and subject to the further order of the Council. Carried. Ayes, 21; Noes, 0.

Petition of Patrick McGuire, for permission to move a wooden building from lot on Otter street to lot on east side of Hayward street, between Elk and Fulton streets.

Ald. Allen moved that the prayer of the said petition be granted, under the direction of the Street Commissioner, and subject to the further order of the Council. Carried.

Of sundry persons, for the release of William Long, from confinement in the Erie County Penitentiary.

Ald. Jones moved that the prayer be granted. Carried. Ayes, 18; Noes, 3.

Petition of sundry persons, for the release of Thomas Mullen, from confinement in the Erie County Penitentiary.

Ald. Mills moved to grant the prayer of the petition. Carried. Ayes, 21; Noes, 0.

The following was received:

The Buffalo Street Railroad Company, the assignee of the original grantees of the right to construct, maintain, and operate a Railroad upon Main street, by a resolution adopted by the directors thereof, have consented to, and accepted the rules, terms, conditions, and stipulations prescribed for the railroad upon Main street, as amended and passed by the Common Council, on the 17th day of December, 1860.

In witness whereof, the Vice President and Secretary have hereunto, set their hands, and affixed the seal of the Company. By order of the directors, thereof:

[L. S.] G. R. WILSON, Vice Pres't.

CHARLES T. COIT, Sec'y.

—Ordered filed and recorded in the minutes.

A communication was received, inviting the Common Council to attend the Printer's Festival to be held at the American Hotel, on Thursday evening next, January 17th.

Ald. Beckwith moved that said communication be received and placed on file, and that the invitation be accepted.

Ald. Felton moved as an amendment, that the invitation be not accepted. Lost.

The motion of Ald. Beckwith was then carried.

ACCOUNTS REFERRED.

S. W. Howell, for sundries for School District No. 20. Referred to Committee on Schools.

George B. Mitchell, for services as Street Inspector, to Jan. 8, 1861.

E. C. Hull, for services as Street Inspector, to Jan. 8, 1861. Referred to Committee on Streets.

Fred Scheiffer, for repairing sidewalk on the northerly side of Batavia street, between Washington street and Blossom alley.

Same, for repairing sidewalk on the easterly side of Spruce street, between Sycamore and Genesee streets.

Same, for repairing sidewalk on the westerly side of Spring street, between Batavia and Sycamore streets.

Same, for repairing sidewalk on the easterly side of Michigan street, between Sycamore and Genesee streets.

Same, for repairing sidewalk on the southerly side of Genesee street, between Elm and Michigan streets.

Same, for repairing sidewalk on the easterly side of Pratt street, between Sycamore and Genesee streets.

Same, for reparing sidewalk on the easterly side of Hickory street, between Batavia and William streets.

Same, for repairing sidewalk on the east side of Oak street, between Genesee and Sycamore streets. Referred to Committee on Side and Crosswalks.

P. G. Lorenz, for keeping horses for fire department.

John Ulmer, for sundries for fire department.

Richard Dennison, for services on steamer C. J. Wells.

Asa White, for services on steamer on C. J. Wells.

F. C. Candee, for sundries for fire departmeet.

R. L. Burrows, for services as clerk for Fire Commissioners for 1860, and disbursements.

Dona'd Thorne, for services as Engineer for steam fire engine.

Dan B. Castle, for sundries for fire department.

George L. Burns, for compensation for ladders broken at the late fire, by Buffalo firemen. Referred to Committee on Fire.

Ellen Greenhalgh, for cleaning offices in City Building.

Christopher Nolan, for fixing halyards to Liberty Pole.

Jacob Gerlach, for painting and glazing in Fire Department.

Cheeseman & Dodge, for livery for election.

E. G. Luce, for services as Deputy City Clerk, in January, 1861.

Peter Cannon, for services as Porter to City Building, in January, 1861. Referred to Committee on Claims.

Lewis Leanhardt, for clubs for Police Department.

Thomas Homsom, for services as Policeman.

Morris Helems, for services as Captain of Police from August 27, 1860, to January 3, 1861, inclusive.

Patrick Lynn, for services as Policeman from August 27, 1860, to January 3, 1861, inclusive.

Peter Vogle, for services as Policeman from August 27, 1860, to January 3, 1861.

John Carr, for services as Policeman from August 27, 1860, to January 3, 1861, inclusive.

Henry V. Soule, for services as Policeman from August 28, 1860, to January 4, 1861, inclusive. Referred to Committee on Police.

Whitney A. Case, for sundries for Elk Street Market.

Peter Christensen, for services as Porter to Washington Street Market. Referred to Committee on Markets.

REPORTS OF COMMITTEES.

Ald. Howard from the Committee on Finance, reported in favor of the adoption of the following resolutions:

That the Comptroller be and is hereby directed to remit and cancel of record the assessment standing on the books in his office, against a lot of land on Johnson Place, south side, commencing 357 feet west of Delaware street, being 65 feet front by 100 feet deep, imposed for a sewer in Johnson Place from a point 200 feet west of Delaware street to the ravine across Fir street, which assessment was confirmed July 2, 1850, and was for $26 14 on the original roll. Adopted.

That upon filing the petition of Henry H. Cook, with the accompanying proofs with the Comptroller, in which said Cook asks for a declaration of sale on certificate of tax sale No. 1648, of the sale of June 1st, 1859, of lot on southeast side of Batavia street, part of lot No 2, lying 2738 60-100 feet northeast of Lockwood street, being 1529 feet front by 1229 feet deep on west line and 1495 feet on east line, the said Comptroller execute and deliver to said Cook a declaration of sale thereon, in the form prescribed by the City Charter. Adopted.

That upon the filing the petition of Henry H. Cook, with the accompanying proofs, with the Comptroller, in which said Cook asks for a declaration of sale on certificate of tax sale, No. 1780, of the sale of June 1st, 1859, of lot on South side of Howard street, part of lot No. 2, lying on the west corner of the Indian Reservation line, being 870 feet front by 390 feet deep west line, 550 feet southeast line, the said Comptroller execute and deliver to said Cook a declaration of sale thereon, in the form prescribed by the City Charter. Adopted.

That upon filing the petition of Henry H. Cook, with the accompanying proofs, with the Comptroller, in which said Cook asks for a declaration of sale on certificate of tax sale, No. 1772, of the sale of June 1st, 1859, of lot on south side of William street, part of lot No. 2, lying on the west corner of the Indian Reservation line, being 909 feet front to Indian Reservation line, and 426 feet rear Indian Reservation line, the said Comptroller execute and deliver to said Cook a declaration of sale thereon in the form prescribed by the City Charter. Adopted.

That upon filing the petition of T. Pinner with the accompanying proofs with the Comptroller, in which said Pinner asks for a declaration of sale on certificate of tax sale No. 1174 of the sale of January 28, 1857, of lot on east side of Spring street, part of outer lot No. 126, lying 180 feet south of Genesee street, being 30 front by 120 feet deep, the said Comptroller execute and deliver to

said Pinner a declaration of sale thereon in the form prescribed by the city charter. Adopted.

That upon filing the petition of Marcus T. Reynolds together with the proofs accompanying the same with the Comptroller, and the execution by the petitioner of a bond with satisfactory sureties, condition to indemnify the city against all damage or costs or claim for such damage or costs by reason of the cancelling, of the tax sales hereinafter mentioned, or either of said sales, the said Comptroller be and he is hereby authorized to cancel of record the following described tax sales, to wit:—Sale of August 28th, 1859, of lot on east side of Third street, 60 feet north of Sloan street, 60 feet front by 60½ feet deep, to John Read for $2 23. Sale of August 28, 1849, of lot on east side of Third street, 80 feet north of Sloan street, 55 feet front and in depth to angle or alley in rear, to John Read for $1 83. Sale of January 26, 1850, of lot on east side of Third street, 60 feet north of Sloan street, 60 feet front by 60½ feet deep, to John Read for $10 44. Adopted.

Also, reported against taking any cognizance of the petition of R. H. Colburn, asking to have a duplicate order drawn in place of one claimed to be lost, and recommended that Mr. Colburn be permitted to withdraw his petition. Adopted.

Ald. Wheeler, from the Committee on Schools, reported in favor of allowing the following accounts, and of drawing orders for same:

James Moffat, for rent of School House in District No. 17—$105 00.

Mary R. Scott, for repairing stove at School House No. 22—$1 00.

H. G. White, for sundries for School House No. 15—$8 06. Adopted.

Also, in favor of the adoption of the following resolution:

Resolved, That the expenditure of $120, made by the Superintendent of Schools for the purchase of Class Registers, be sanctioned by this Council. Adopted.

Also, in favor of allowing G. Olson interest on his account for blinds furnished school house No. 19, from June 8, 1859, to Dec 3, 1860, and of drawing an order in favor of said Olson for $22 36, in full for such interest. Adopted.

Ald. Palmer, from the Committee on Streets, reported in favor of the following resolution:—

That the Common Council of the City of Buffalo have determined, and do hereby determine, to take and appropriate the land and property necessary to lay out and extend Katherine street, fifty feet wide, from the southerly termination of said Katherine street as now laid out, to a point 551 feet south-easterly from the northerly line of lot No. 192. The centre line of said street to be laid out and extended shall commence at the southerly termination of the centre line of Katherine street as now laid out, and thence south 15° 28′ west (being on the same direct and continuous course of Katherine street as the same is now laid out from Elk street) for a distance of 290 feet to a stake in the northwesterly line of lot 191 of the Buffalo Creek Indian Reservation, Lovejoy and Emslie's survey. Said stake is 13 feet distant on a course S 47° W along the northwesterly line of said Reservation from the northwesterly corner of said lot 191; thence south 12° 59′ west for a distance of 621½ feet to a stake in the line between lots 191 and 192 of said Buffalo Creek Indian Reservation, Lovejoy and Emslie's Survey; said stake is also 348 feet southeasterly from the southwesterly corner of said lot 191, and northwesterly corner of lot 192, measuring along the line between said lots. Thence south 8° 30′ west for a distance of 551 feet to a stake at the southeasterly corner of lands lately purchased by E. S. Warren and others. The easterly and westerly lines of such extension to run parallel to and 25 feet from said centre line. And that the said Common Council will apply to the Superior Court of Buffalo at a Special term of said Court, to be held at the Court House, in said City of Buffalo, on the first Monday, (4th day) of February next, at the opening of the Court on that day, or as soon thereafter as counsel can be heard, for the appointment of three Commissioners to ascertain and report the just compensation to be paid to the person or persons owning or having an interest in the property proposed to be taken. Adopted. Ayes, 23; Noes, 0.

Also in favor of allowing the following accounts and of drawing orders for same:

Wm. Mensch, assignee of J. Widmer, for removing dirt, &c., from streets, balance due on contract—$560 00.

Barnhart, Henry, for cleaning streets—$4 31.

Geo. Fisher, for same—$3 38.

John Fisher, for same,—$5 63.

John Erb, for same—$8 81.

Michael Kinney, for same—$1 50.

John Erb, for cleaning streets in front of land owned by non-residents—$2 00. Adopted.

Ald. Yaw, from the Committee on Fires, reported in favor of allowing the following accounts, and of drawing orders for the same:

Felthousen & Russell, for repairs, &c., for Fire Department—$13 21.

Wardwell, Webster & Co., for oil, &c—$26 17.

Pratt & Husted, for mill feed, &c.,—$3 69.

Bargasser & Bro., for repairs, &c.,—$100 62.

Wm. Taylor, for repairing hose—$8 63.

F. M. Jones, for repairing Engine House No. 2—$4 50.

Peter Schmal, for repairing Engine House No. 3—$3 25.

John J. Leader, for shoeing horses, &c.,—$23 57.

Hardiker & Toy, for plumbing, &c.,—3 15.

Elder & Stearns, for bed-quilts, &c.,—$23 50.

J. H. Carpenter, for repairs—$7 37.

Geo. Day, for plumbing, &c.,—$17 10.

Henry Swartz & Co, for repairing Steam Engine House—$35 59.

Frederick Schiefer, for same—$278 76.

DeForest & Coye, for coal, allowed at—$65. Adopted.

Ald. Howell, from the Committee on Claims, reported in favor of allowing the following accounts and of drawing orders for same:

A. M. Clapp & Co., for daily papers for City Officers—$78 00.

Same, for advertising, &c, for City Officers—$86 70.

Same, for advertising for Common Council, &c., charged at $390 05, allowed at $355 70.

Clapp, Matthews & Co., for printing for Comptroller—$16 00.

Same, for printing for City Attorney—$42 00.

Same, " " " Common Council, &c.—$287 25.

Same, " " " Receiver of Taxes—$185 00.

P. H. Bender, for advertising, charged at $95 65, allowed at $57 15.

T. V. N. Penfield, for blank books for Assessors—$21.

Same, for blank books for City Clerk—$28.

A. M. Clapp & Co., for advertising for proposals for City Printing—$5 75.

Joseph Warren & Co., for advertising for proposals for City Printing—$13 80.

Jno. C. Jewett, for stoves, &c., for Assessors office—$11 35.

Sherman & Barnes, for oil cloth for Street Commissioner's office—$31 25.

John C. Jewett, for feather dusters for Comptroller—$3 50.

Ann Cannon, for cleaning City offices, &c.—$18 01.

H. Adams & Co , for sundries—$14 58.

George M. Love, for services as poll clerk, 1st District 9th Ward, allowed at $6. Adopted.

Ald. Allen, from the Committee on Wharves, Harbors and Ferries, reported in favor of allowing the account of David Cooper, for superintending dredging of harbor, amount $35, and of drawing an order for the same. Adopted.

Ald. Russell, from the Committee on Licence, reported in favor of the adoption of the following resolutions:

That the Mayor be authorized to grant a license to Thos. J. Murphy to sell fresh meat at his shop on N. W corner of Franklin and Tupper streets.

Ald. Goembel moved to postpone action on said report until the first meeting of the Council in May next.—Lost.

And the said resolution was then lost. Ayes, 11; noes, 13.

Ald. Howard moved to reconsider the vote taken on the above resolution. Lost.

That Anthony Seckler be permitted to transfer his license to sell fresh meat, from near the S. E. corner of Genesee and Elm streets to the northwest corner of said streets, and that the Mayor be directed to make the necessary change. Adopted.

Ald. Crowder from the Committee on New Territory, reported in favor of allowing the following accounts and of drawing orders for same:

A. A. Justin, for repairs for Jubilee Water Works—$3 88.

L. Gallard, for same—$14 61.

J. G. Steinrok, for labor for Jubilee Water Works—$4 12.

C. Binder, for same—$7 12.

John Akerman, for same—$3 75.

John Hoffman for same—$9

A. Roll, for same—$18.

G. J. Woelfle, for services as Water Commissioner to January 1st, 1861—$25. Adopted.

Also, in favor of directing the City Assessors to assess $14 16 for repairing Tonawanda street, between Niagara and Dearborn streets. Adopted.

Ald. Howell was called to the Chair.

SPECIAL COMMITTEES.

Ald Howard, from the Special Committee on Rules and Orders, presented the following report:—

RULES AND ORDERS OF THE COMMON COUNCIL OF THE CITY OF BUFFALO.

1. At the hour appointed for the meeting of the Council, the President shall take the Chair, and direct a call of the Members of the Council, and, upon the appearance of a quorum, shall call the Members to order, and proceed with the business in the following order:—

1. Reading and approval of the Minutes of the preceding meeting.
2. Communications from the Mayor.
3. Petitions, Remonstrances and Accounts.
4. Reports of Standing Committees in the order named in rule.
5. Reports of Special Committees.
6. Reports of Officers of the Corporation.
7. Motions, Notices and Resolutions.
8. Unfinished business.

2. The Presiding Officer shall possess the powers and perform the duties herein prescribed, viz:—

1. He shall preserve order and decorum.
2. He shall decide all questions of order, subject to appeal to the Council. On every appeal he shall have the right, in his place, to assign his reason for his decision.
3. He shall appoint all Committees, except where the Council shall otherwise order.
4. He may substitute any member to perform the duties of the chair; but such substitution shall not extend beyond the adjournment of the Council except by special consent of the Council.
5. When the Council shall be ready to go into Committee of the Whole, he shall name a Chairman to preside therein.
6. He shall have the right to invite to the floor of the Council such persons as he shall deem deserving of the privilege; but the right of admission under such invitation shall not extend beyond the day on which it shall be given.

3. While the presiding officer is putting a question, no member shall walk across or out of the room; nor in such case, or when a member is speaking, shall entertain any private discourse, nor whilst a member is speaking shall pass between him and the chair.

4. Every member, when he speaks, shall, standing in his place, address the presiding officer, as Mr. President, and shall not proceed until recognized by the President; and no member shall speak more than twice to the same question, nor more than five minutes each time at the same meeting, without leave of the Council.

5. When two or more members rise at once, the presiding officer shall name the member who is first to speak.

6. If any member, in speaking, shall transgress the rules of the Council, the presiding officer, or any member may call him to order, in which case the member so called to order shall immediately sit down, and shall not rise unless to explain or proceed in order.

7. Every member shall vote when a question is stated from the chair, unless excused by the Council; but no member shall vote on any question in which he has a direct individual pecuniary interest; but this rule shall not be so construed as to prohibit any member from voting on any question in which such member is interested in common with other citizens; and every member when voting, shall be in his place.

8. Petitions and other papers may be presented by the presiding officer, or any member, but when presented by a member, he shall first endorse on the petition or paper the substance thereof.

9. No motion shall be debated or put until seconded -

and when seconded, the motion shall be stated distinctly by the presiding officer, before being put or debated, and shall be reduced to writing by the member making it, upon the request of the presiding officer or any other member. It may be withdrawn at any time before decision, commitment or amendment, but not thereafter, without leave of the Council.

10. When a blank is to be filled, and different sums or times are proposed, the question shall be first put on the largest sum and the longest time.

11. If any two members require it, the yeas and nays upon any question shall be taken and entered upon the minutes of the Board. In taking the same, the names of members shall be taken alphabetically.

12. All committees shall be appointed by the presiding officer, unless otherwise specially directed by the Council; in which case they shall be appointed by ballot.

13. All amendments to any motion or resolution shall be reduced to writing before being presented.

14. When a question is under debate, no motion shall be received, except as herein specified, which motions shall have precedence in the order stated; viz:

1. For an adjournment of the Council.
2. A call of the Council.
3. For the previous question.
4. To lay on the table.
5. To postpone indefinitely.
6. To postpone to a day certain.
7. To refer to the Committee of the Whole.
8. To refer to a Standing Committee.
9. To refer to a Special or Select Committee.
10. To amend.

15. A motion to adjourn, to lay on the table, for the previous question shall be decided without amendment or debate; and all appeals from the decision of the Chair, and all questions relating to the order of business shall be decided without debate.

16. The several motions to postpone, or to refer, shall preclude all debate of the main question.

17. When a question has been once put and decided, it shall be in order for any member who voted with the majority, to move for the re-consideration thereof; but no motion for a re-consideration of any vote shall be in order after the subject matter upon which the vote was taken shall have gone out of the Council, unless with the consent of two-thirds of the members of the Council.

18. A motion for re consideration, if lost, shall not again be repeated at the same meeting of the Council, nor shall any question be re-considered more than once.

19. Whenever the Council shall go into the consideration of executive business, the presiding officer shall direct the Council chamber to be cleared, and the doors to be closed.

20. All information or any remarks by any member, concerning the character or qualifications of any person whose name shall be before the Council for an appointment to any office, shall be kept secret, and all proceedings and things of the Council or any member thereof, in secret session, shall be kept secret until the Council shall remove all injunction to secrecy.

21. If any question contains several distinct propositions, it shall be divided by the chair, at the request of any member; but a motion to strike out and insert shall be indivisible.

22. Any member may have any paper in possession of the Council read, upon request, unless the same shall be objected to by some other member, and then the question shall be determined by a vote of the Council, without debate.

23. Every member, upon presenting a petition, memorial, resolution, or other paper, shall move some action thereon.

24. After the affirmative on any question has been taken, no member shall speak to the question, nor shall any motion, until after the result is declared, be made.

25. No report shall be received from any Committee, unless the Committee, or a quorum thereof, shall have met and considered the matter referred; and such reports, if relating to accounts, shall also have the certificate of the Auditor, certifying to the correctness or incorrectness of such account and report.

26. When the Council shall be equally divided on any question including the vote of the presiding officer, the question shall be deemed to be lost.

27. The following Standing Committees shall be appointed by the President, at the commencement of the Council, or as soon thereafter as may be practicable:

1. Finance,	to consist of	5	members.
2. Schools,	"	7	"
3. Streets,	"	7	"
4. Sewers,	"	5	"
5. Side and Crosswalks,	"	5	"
6. Fire,	"	5	"
7. Water,	"	5	"
8. Claims,	"	5	"
9. Police,	"	5	"
10. Markets,	"	5	"
11. Warves, Harbors and Ferries,	"	5	"
12. Public Grounds,	"	5	"
13. Public Lamps,	"	5	"
14. Licenses,	"	5	"
15. Sanitary Measures,	"	5	"
16. New Territory,	"	5	"

28. No standing rule or order of the Council shall be rescinded, changed or suspended, except by a vote of two-thirds of all the members of the Council.

29. Whenever any motion or resolution, respecting the ordering of or contracting for any local improvement, or the ordering or perfecting any assessment therefor, is made or offered, the regularity of which depends upon any previous assessment, order, notice or petition, the same shall not be acted on, unless accompanied with the certificate of the proper officer, that the previous order has been duly made, assessment confirmed, notice given, or petition filed, as the case may be.

30. No local improvement shall hereafter be ordered by this Council, until the subject has been referred to the appropriate Committee, and a report made thereon, unless in case of repairs, when the Street Commisssioner shall certify that the work cannot be delayed until the next meeting without injury to the public.

31. No unliquidated account, or claim, or contract shall be received for audit or allowance unless it shall be accompanied with an affidavit of the person rendering it, as required by section 1, title 5, of the revised charter, and as the same was amended by the Legislature in 1858; and no account or claim shall be audited until the same has been referred to, and reported upon, by the proper Committee; but this rule shall not be deemed to apply to claims for partial payments on the salaries of city offi-

cers who have a regular annual salary, when certified by the Comptroller of the city, or other head of the department to which the claimant belongs, nor to partial payments to apply on any written contract for any work or improvement while the work is progressing, provided the claim made shall be duly verified by the claimant and certified by the city officer having charge of the work, and provided the aggregate of such partial payments shall at no time exceed 80 per cent of the work performed.

32. The regular meetings of the Council shall be on the first and third Mondays of each month, except when otherwise ordered by resolution of the Common Council. The hour of meeting shall be at half past two o'clock P. M., and if at that hour a quorum be not present, the President of the Council shall direct the Sergeant-at-Arms to the Council, or such other person as the minority present shall designate, to bring in absent members, until a quorum be obtained, and if a quorum be not obtained at 3 o'clock, those members present may then, and not before, by a vote of a majority, adjourn the Council until its next regular meeting day.

33. No person, except officers of the corporation, or their deputies or clerks in the exercise of an official duty, and such reporters as the Council may designate, shall be admitted within the bar, unless by the written permit of the President, which permit shall not extend beyond the meeting at which it is given.

34. When in the Committee of the Whole, the rules and orders of the Council shall be observed, so far as may be applicable; except that the ayes and noes shall not be taken. Nor shall there be any limit to debate. And a motion to rise and report progress shall always be in order, and shall be decided without debate.

35. It shall be the duty of every member to attend all meetings of the Council, at the hour appointed for such meeting, and to remain until the close of the session, unless excused by the Common Council; and in case any member shall absent himself from any such meeting without permission, either first obtained or subsequently on satisfactory explanations to the Council, and excuse obtained, shall be deemed guilty of contempt, and may be punished by reprimand for the first offence, and for a further wilful disregard of this rule the Council may inflict such other reasonable punishment as in its judgment the offence shall merit.

36. It shall be the duty of each and every member of the Council to attend all regular meetings of the Committees of the Council, which shall be held on Thursday evening of each week at 7½ o'clock, at the Committee Room or Council Chamber.

Ald. Howard moved the adoption of said report.

Ald. Bemis moved as an amendment, that the rules contained in said report be considered separately.

Amendment accepted, and the motion of Ald. Howard as amended, was then carried.

The Council proceeded to consider said rules separately.

Rule No. 1. Ald. Bemis moved to amend said rule by adding thereto the following, "and a majority of the members present may approve of, or dispense with the reading of the minutes of any previous meeting. Carried.

And the said Rule, as amended, was then—Adopted.

Rules Nos. 2, 3, 4 and 5, were considered separately and Adopted.

Rule No. 6. Ald. Bemis moved to amend by inserting after the word "unless," the words "permitted by the presiding officer." Lost.

Ald. Bemis moved to amend by inserting after the word "unless," the words, "permitted by the Council." Carried.

And said rule as amended was then adopted.

Rules Nos. 7 and 8 were considered and adopted.

Rule No. 9. Ald. Bemis moved to amend by adding thereto the following, "and no member shall make or second a motion, except he rise in his place for that purpose." Carried.

And rule as amended adopted.

Rules Nos 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27, were each considered and adopted.

Rule 28. Ald. Bemis moved to amend by inserting the word "repealed" after the words "shall be." Amendment accepted.

Ald. Bemis moved to further amend by adding the following to said rule, "Nor shall any new rule be added hereto except by a like vote." Carried.

And rule as amended adopted.

Rule 29 was considered and adopted.

Rule 30—

Ald. Bemis moved to amend by adding thereto the following: "Nor in such case where the expense thereof shall exceed $10."

Ald. Jones moved as an amendment to the motion of Ald. Bemis to make the amount $25, instead of $10.

Ald. Yaw moved to make it $12.

Prior to the question being taken on either of the above motions, Ald. Palmer asked and obtained consent to offer the following resolution:—

Resolved, That when this Council adjourns, it adjourn to meet at half-past seven o'clock this evening. Lost.

Ald. Yaw, by unanimous consent, offered the following:—

Resolved, That the Fire Marshal be authorized to finish the repairing of the house occupied by the Steam Fire Engine "C. J. Wells," at an expense not to exceed $75 00. Adopted.

Ald. Hanovan moved that the Clerk be directed to so alter the minutes of Dec. 31st, 1860, that the name "Truman Ohlmer," appointed as Commissioner of Deeds, shall appear therein as "Herman Ohlmer."

The Chair decided that the motion of Ald. Hanovan was not in order.

Ald. Hanovan appealed from the decision of the Chair.

The decision of the Chair was sustained. Ayes 18, noes 5.

Ald. Bemis moved that when this Council adjourns, it adjourn to meet at a quarter before 8 o'clock this evening. —Lost.

Ald. Bemis moved that the further consideration of the report of the Special Committee on rules and orders be postponed until the next meeting of the Council, and that same be taken up under order of Reports from Special Committees. Carried.

Ald. Allen moved that the Clerk be directed to refer the petitions and resolutions on his desk to the appropriate Committees.

Pending the question on the above motion, the hour of 7 o'clock P. M. arrived, and the Chairman declared the Common Council adjourned until next Monday afternoon, January 21st, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 3.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Jan. 21st, 1861,
at 2 o'clock, P. M.

Present.—Asaph S. Bemis Esq, President of the Council, and Aldermen Allen, Beckwith, Brush, Crowder, Dorr, Felton, Goembel, Grass, Hanovan, Howard, Howell, Jones, Palmer, Pratt, Russell, Rutter, Savage, Scheu, Schwartz, Storck, Walsh, Wheeler, and Yaw.

Absent—Aldermen Adams, and Mills

The minutes of the last meeting were approved.

PETITIONS.

Of John T. Tilly, for declaration of sale of lot on the south side of Fulton street, lying 194 feet west of Alabama street, 25 feet front by 140 deep.

Of Wm. P. Fisher, for same of lot on Exchange street, 173 feet east of Michigan street, 82½ feet by 104.

Of same, for same of lot on south side of Carroll street, 173 feet east of Michigan street, 82½ feet by 104.

Of same, for same of lot on Main and Hamburgh Street Canal, 173¾ feet east of Michigan street, 82½ feet by 155.

Of same, for same of lot on west side of Fitzgerald street, north corner of Mackinaw street, 703 feet by 134.

Of same, for same of lot on east side of Katherine street, north corner of Mackinaw street, 543 feet by 134.

Of same, for same of lot on east side of Sidway street, 489 feet south of Mackinaw street, 518 feet by 166.

Of same, for same of lot on west side of Katherine street, south corner of Mackinaw street, 489 feet by 227.

Of same, for same of lot on east side of Katherine street, on south corner of Elk street, 135 feet by 135.

Of same, for same of lot on south-west corner of Hamburgh street, 23 feet by 100.

Of same, for same of lot on south side of South Division street, 197 feet west of Cedar street, 60 feet by 120.

Of same, for same of lot on west side of Niagara street, 50 feet north of Auburn Avenue, 32½ feet by 80.

Of same, for same of lot on east side of Main street, north-east corner of Utica street, 100 feet by 177.

Of same, for same of lot on north side of R'ley street, on the west corner of Michigan street, 32 feet by 106.

Of same, for same of lot on east side of Delaware street, 144 feet east of Edward street, 36½ feet by 100.

Of same, for same on lot on west side of Park Place, 55 feet northeast of Johnson Place, being 6 by 128 feet.

Of same, for same on lot on north side of Elk street, 776 feet east of Smith street, and being 222 by 912 feet.

Of same, for same on lot on west side of Main street, S. corner of Delavan avenue, being 652 44-100 feet front, and in depth to Linwood avenue.

Of H. Clark and another, to have tax sale of lot on corner of Chippewa and Pearl streets cancelled. Referred to Committee on Finance.

Of Hadley & Husted and others, for permission to construct a sewer in the northeasterly side of Ninth street, between Maryland and Hudson streets. Referred to Committee on Sewers.

Of Hose Co. No. 5, for an appropriation of $250, to be expended in repairing house on Washington street, recently vacated by steam fire engine.

Of Albert Gowing, for pay for use of horse for Fire Department.

Of Wm. Brierly, asking that permission be granted to Ellis & Willis to erect sheds on their boat yard.

Of Bernard Hughs, for the correction of the Firemens' Register. Referred to Committee on Fire.

Of Henry McLane, to be appointed constable of the Ninth Ward. Referred to Committee on Police.

Of Richard Paul, to be appointed Keeper of Johnson Park. Referred to Committee on Public Grounds.

Of sundry persons, to have the bridge across Cazenovia creek, on Cazenovia road, repaired.

Of R. L. Howard and others, to have the B. & S. L. RR. Co. required to open the ditch on the easterly line of their railroad, between Buffalo Creek and Lime Stone Hill. Referred to Committee on New Territory.

Of Geo. Roesser, for a fireman's certificate. Referred to City Clerk, with power.

Of Wm. W. Mann, in relation to the collection of tax scrip. Laid on the table for the present.

Petition of Wm. Loft, to have obstructions removed from Third street, between Hospital and Church streets.

Ald Howard moved that said petition be referred to the Committee on Streets and Street Commissioner, with power, and that they be directed to report such action as they may take, to the Council at its next meeting. Carried.

Petition of sundry persons, to have permission granted to Ellis & Willis to dig out Wilkeson Slip, from Fourth street to the Erie Canal, and to lay ways in said slip for hauling out Canal boats; also to erect wooden buildings for shops on their boat yard adjoining said slip.

Whereupon, Ald. Dorr offered the following:

Resolved, That Messrs. Ellis & Willis have permission to erect shops and sheds under the direction of the Fire Marshall, upon the ground on Wilkeson Slip, between the

Erie Canal and Fourth streets, subject to the further consideration of the Council. Adopted. Ayes, 17; Noes, 0.

Petition of L. P. Maurer and others to have Peter Ripont appointed Fire Warden.

Ald. Jones moved that the prayer of the said petition be granted, and that said Peter Ripont be and he is hereby appointed a Fire Warden of the city of Buffalo. Carried.

Petition of sundry persons, to have a license granted to Thos. J. Murphy to sell fresh meat at his shop near the corner of Tupper and Franklin streets.

Ald. Yaw moved that the prayer of the said petition be granted, and that the Mayor be authorized to issue a license to said Murphy to sell fresh meat at his shop as above designated, upon the payment of the usual fee and execution of necessary bond. Carried.

Petition of sundry persons, for the release of James Keeley from confinement in the Penitentiary.

Ald. Allen moved that the prayer of the said petition be granted. Lost for want of a two-third vote. Ayes, 15; Noes, 6.

Petition of Michael Loftus and others for the release of Sarah Gleason from confinement in the Erie County Penitentiary.

Ald. Allen moved that the prayer of the said petition be granted. Carried. Ayes, 22; noes, 0.

Petition of E. P. Gray for the release of Christopher Nerlich and James Godfries from confinement in the Erie County Penitentiary.

Ald. Howard moved that the prayer of the said petition be granted. Carried. Ayes, 18; noes, 0.

Petition of E. A. Crary for permission to erect a wooden shed, 10 by 12 feet, in the rear of his building on Ellicott street, between Tupper and Goodell streets.

Ald. Yaw moved that the prayer of the said petition be granted, under the direction of the Fire Marshal and subject to the further order of the Council. Carried. Ayes, 16; noes, 0.

The annual statement of the condition of the Buffalo Savings Bank was presented. Received and placed on file.

ACCOUNTS REFERRED.

Wesly Emmons, for repairs on sundry school houses.

Valentine Bibus, for sawing wood for sundry schools.

Referred to Committee on Schools.

A. P. Yaw & Son, for sundries for Fire Department.

Thomas B. French, " " "

Harry Hersee, for bedsteads, &c., for "

Loomis Lyman, for sundries for "

Geo. M. Love, for services as Fire Marshal in January, 1861. Referred to Committee on Fire.

John Gisel, for repairing pump to well on corner of Mortimer and Genesee streets.

Klein & Dobinson, for (10) accounts, repairing pumps.

Referred to Committee on Water.

Harry Hersee, for sundries for Comptroller's office.

E. J. Faxon, for Bank Note Register for City Treasurer's office.

H. Hersee, for bill repairing. Referred to Committee on Claims.

Dan. B. Castle, for sundries for Police Department.

Chas. Gardner, for services as Justice of the Peace. Referred to Committee on Police.

Hiram Atwood, for services as Porter to Clinton Market in January, 1861. Referred to Committee on Markets.

REPORTS OF COMMITTEES.

Ald. Howard, from the Committee on Finance, reported in favor of the adoption of the following resolutions:

That the Comptroller report to this Council at its next meeting, the condition of the fund for opening Delavan avenue, by showing the present amount of orders thereon outstanding and unpaid, the present amount in the treasury to the credit of the fund, together with all resources in the shape of unpaid assessments. Also whether any portion of the assessments, either of principal or interest, belonging to said fund have been remitted or discharged without payment, and if so, to whom and for what amount, and when, and by what authority, and upon what particular lot or lots, describing them. Adopted.

That the prayer of the petition of the Rev. M. O'Connor, in which he asks to have tax on lot on east side of Louisiana street, 24 by 100 feet, commencing 80 feet south of Fulton street, remitted, be denied, and that he have leave to withdraw his petition.

Ald. Hanovan offered the following as an amendment:

That a tax of nine 78-100 dollars assessed to St. Bridget's Parsonage, on lot on the east side of Louisiana street, 24 feet front by 100 feet deep, and commencing 80 feet south of Fulton street, for the year 1860, together with the additions that have been made thereto, be and the same is hereby remitted, and the Comptroller is hereby directed to cancel the same on the assessment roll of the First Ward of the city of Buffalo, for the year 1860, now on file in his office.

Ald. Allen moved to refer the whole matter back to the Committee on Finance for one week. Lost.

The amendment offered by Ald. Hanovan was then lost. Ayes, 10; Noes, 18.

The resolution of Ald. Howard was then adopted. Ayes, 12; Noes, 11.

Also, in favor of the adoption of the following resolution:

That the Assessors carefully examine the lot on west side of Pine street, commencing 176 feet south of Batavia street, being 60 feet front by 176 feet deep, together with the building thereon, and report to this Council what portion of said lot is used for church purposes, and what portion for private purposes, and also what proportion of the valuation of said lot and building as fixed upon the General city tax roll of the 5th ward for 1860, properly belongs to that portion thereof so used for church purposes, and what proportion to that used for private purposes.

Ald. Hanovan moved to refer said report back to the Committee on Finance. Lost. Ayes, 6; Noes, 16.

The said report was then adopted.

Ald Wheeler, from the Committee on Schools, reported in favor of allowing the following accounts, and of drawing orders for same, viz:

S. W. Howell, for sundries for School No. 20—$13 41.

Samuel Caldwell, for whitewashing privies at School House No. 7—$2 50.

Wm. H. Peabody, for sundries—$12 14.

Peter Skelley, for repairs at School Houses—$15 12.

J. Pettibone, for wood for School House No. 3—$14.

Clapp, Matthews & Co., for printing, allowed at—$38 50.

E. R. Jewett, for recitation registers, &c.,—$140 13. Adopted.

Ald Palmer, from the Committee on Streets, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause the wood culvert across Allen street, on the east side of Delaware street, to be repaired, at an expense not to exceed $5, and report. Adopted.

That the Street Commissioner cause Carolina street, between Tenth and Eleventh streets, to be repaired, by filling holes with stone chips, at an expense not to exceed $6, and report. Adopted.

That the Street Commissioner cause the bridge across the Evans ship canal, on Erie street, to be repaired, at an expense not to exceed $20, and report. Adopted

That the Street Commissioner cause the wood culvert across Carlton street, on the westerly side of Mulberry street, to be re-constructed, at an expense not to exceed $8, and report. Adopted.

That the petition of J. W. A. Meyer and others asking to have the street running on the north side of the Court House Park, from Main street to Batavia streeet, and known as "Lafayette street," changed to the name of "Batavia street" be denied and that the petitioners have leave to withdraw said petition. Adopted.

That the owner or owners of any fence, building, foundation for building or other obstructions being or standing in Third street, between Virginia and Maryland streets, in the City of Buffalo, cause all such obstructions to be removed from and out of said Third street within thirty days. And that the Street Commissioner cause a copy of this order to be served upon such owner or owners, or their agents, forthwith (in case the same can be ascertained) and if such owner refuse or neglect to remove such obstructions as aforesaid, he report such fact to this Council. Adopted.

That the Street Commissioner and City Surveyor be directed to report the probable expense of opening and making Carolina street, from the westerly line of the tow path on the westerly side of the Erie Canal to the Erie Basin (or Niagara River). Adopted.

Ald. Swartz, from the Committee on Side and Cross Walks, reported in favor of the adoption of the following resolution:

That the owners of land on the east side of Spring street, commencing at the northerly side of Batavia street, and running 400 feet northerly therefrom, cause a sidewalk to be repaired in front of their respective lots, four feet wide, by substituting good new hemlock plank, 3 inches thick, when necessary within ten days, and if not done in that time, that the Street Commissioner cause the same to be done, at an expense not to exceed $30, and report. Adopted.

Also, in favor of directing the City Assessors to make assessments as follows:

Assess $12 for repairing the sidewalk on the easterly side of Hickory street, between Batavia and William streets. Adopted.

Assess $24 72 for repairing the sidewalk on the east side of Oak street, between Genesee and Sycamore streets Adopted.

Assess $16 for repairing plank sidewalk on the easterly side of Pratt street, between Sycamore and Genesee sts. Adopted.

Assess $19 for repairing plank sidewalk on the southerly side of Genesee street, between Elm and Michigan streets. Adopted.

Assess $4 48 for repairing plank sidewalk on the easterly side of Spruce street, between Sycamore and Genesee streets. Adopted.

Assess $44 96 for repairing the plank sidewalk on the westerly side of Michigan street, between Sycamore and Genesee streets. Adopted.

Assess $48 32 for repairing the plank sidewalk on the westerly side of Spring street, between Batavia and Sycamore streets. Adopted.

Assess $11 32 for repairing the plank sidewalk on the northerly side of Batavia street, between Washington street and Blossom alley. Adopted.

Ald. Yaw, from the Committee on Fire, reported in favor of the adoption of the following resolutions:

That permission be granted to T. Kulon to erect a frame dwelling house, one story high, on lot on north side of Tupper street, about 75 feet east of Ellicott street, under the direction of the Fire Marshal, and subject to the further order of the Council. Adopted. Ayes, 21; Noes, 0.

That the subject matter of the petition of James O'Brian, for the payment of rent of building on Carroll street, be referred to the City Attorney with directions to investigate the same, and report. Adopted.

Also, in favor of allowing the following accounts, and of drawing orders for same:

D. B. Castle, for repairing clocks for Engine Houses,&c., —$7 00.

Donald Thane, for services as engineer of new steam fire Engine—$46 67.

John Ulmer, for repairs,—$3 63.

Olla Staub, for labor,—$2 25. Adopted.

Also, against allowing account of G. L. Burns, for ladders broken by firemen at burning of Jas. Adams & Co's store—amount $10 00.

Ald. Beckwith moved to refer the same back to Committee on Fire. Carried.

Ald. Howell, from the Committee on Claims, reported in favor of allowing the following accounts and of drawing orders for same:

E. R. Jewett, for balance of account of 1859, $11; blank books for City Clerk, $18 50—advertising Comptroller's statement, $18, and advertising election notice, $24 75. Total $72 25; item for blank books for City Clerk allowed as charged balance of account disallowed —$18 50.

Same for publishing notice for proposals for Sewer in Spruce street, $2 92—notice to clean side walk, $4 50—stationery for Street Commissioner, $9 60. Total $17 02; item for stationery allowed as charged, and balance of account disallowed—$9 60.

Peter Deitrich, for use of room for election, &c., $20—for damages to building, $7; $27—allowed for use of room $20—for damages, $5—$25.

A. M. Clapp & Co., for advertising for Market Committee—0 35.

Ellen Greenhalgh, for cleaning City Offices, &c—$5 86. —Adopted.

Also, in favor of allowing Wm. H. Albro for one day's

services as Inspector of Election of the Third Ward, in addition to the amount heretofore allowed him, and of drawing an order for same. Adopted.

Also, against allowing account of Joseph Warren & Co., for publishing Election Notice, amount $38 25. Adopted.

Ald. Storck from the Committee on Police, reported in favor of allowing the following accounts and drawing orders for same:

Wm. Riggs, for pay as Policeman during sickness, $15.

Thos. Hanson, for services as Policeman in December—$42 47.

George H. Poth, for commitments to Penitentiary—$14 25. Adopted.

Ald. Dorr, from the Committee on Public Grounds, reported in favor of allowing the following accounts and of drawing orders for same:

Hardiker & Toy, for plumbing, &c., at Mayor's office—$12 13.

H. G. White, for repairs at City Clerk's office—$9 57. Adopted.

Ald. Yaw from the Committee on Public Lamps, reported in favor of allowing the account of the Buffalo Gas Light Company for gas for public buildings, &c., except the item therein of gas for Fire Department—amounting to $233 75—and of drawing orders in favor of said Gas Light Co., for $265 75 in full for balance of said account. Adopted.

Ald. Russell from the Committee on License, reported adversely to petition of J. A. Betz and J. J. Melter, asking for a license to sell fresh meat at shop on corner of Perry and Alabama streets. Adopted.

Ald. Crowder from the Committee on New Territory, reported in favor of allowing the following accounts and of drawing orders for same:

John Spreigel, for repairing Mineral Spring street, from Buffalo and Aurora Plank Road northeasterly to City Line—$18 75.

R. L. Howard, for repairing Hopkins street, from Tifft street to White's Corner's Plank Road—$114. Adopted.

Ald. Pratt was called to the chair.

SPECIAL COMMITTEES.

Ald. Bemis moved that the report of the Special Committee on "Rules and Orders of the Common Council," presented at the last meeting of the Council, and partially considered, be now taken up, and that the Council proceed to the consideration of that portion of said report which was not acted upon at such meeting. Carried.

Rule No. 30 of said report was then taken up for consideration.

Ald. Bemis moved to amend said rule by adding thereto the following:

"Nor in such case, where the expense thereof shall exceed $10."

Ald. Allen moved to amend the motion of Ald. Bemis, by striking out $10 and inserting $25 in the place thereof. Lost. Ayes, 7; Noes, 15.

The question was then taken on the motion of Ald. Bemis, and the same was lost. Ayes, 11; Noes, 11.

Ald. Allen moved to amend said rule by adding thereto the following: "Nor in such case where the expense thereof shall exceed $15." Lost.

And the said rule was then adopted.

Rule No. 31 was taken up.

Ald. Bemis moved to strike out the word "annual" in the tenth line of said rule.

Ald. Howard moved to amend said rule by inserting therein, after the word "annual," the words "monthly or daily," and after the word "salary" the words "fixed by the Council." Carried.

And said rule, as amended, was then adapted.

Rule No. 32 was taken up.

Ald. Bemis offered the following as a substitute for rule No. 32:

32. The regular meetings of the Council shall be on Mondays of each week, except when otherwise ordered by the Common Council. The hour of meeting shall be at two o'clock P. M., and if at that hour a quorum be not present, the President of the Council shall direct the Sergeant-at-Arms to the Council, or such other person as the minority present shall designate, to bring in absent members, and if a quorum be not obtained at 3 o'clock, those members present may then, and not before, by a vote of a majority, adjourn the Council until its next regular meeting day.

Ald. Hanovan offered the following as a substitute for said rule, and the substitute offered by Ald. Bemis:

The regular meetings of this Council shall be held on Monday of each week, except otherwise directed by a resolution of the Common Council. The hour of meeting shall be 2 o'clock P. M., and the hour of adjournment 7 o'clock P. M. If at any such meeting a quorum be not present at 2¼ o'clock P. M., then the Council shall stand adjourned until the next Monday.

Ald. Swartz moved the previous question, which was not ordered. Ayes, 7; Noes, 15.

The question was then taken on the substitute offered by Ald. Hannovan, and the same was adopted as rule No. 32.

Rule No. 33 was taken up.

Ald. Bemis moved to amend said rule by adding thereto the following: "and no person other than members shall be permitted to occupy the seat of any member during a session of the Council."

Amendment accepted, and said rule, as amended, was then adopted.

Rule No. 34 was taken up.

Ald. Bemis moved to amend said rule by adding thereto the following: "and it shall be in order for the Council to resolve itself into the Committee of the Whole, immediately after the order of reports of Special Committees."

Amendment accepted, and said rule, as amended, was then adopted.

Rule No. 35 was taken up.

Ald. Allen moved that said rule be stricken out.

Ald. Bemis offered the following as a substitute for rule No. 35 as reported.

35. It shall be the duty of every member to attend all meetings of the Council, at the hour appointed for such meeting, and to remain until the close of the session, unless excused by the Common Council; and in case any member shall absent himself from any such meeting without permission from the Council, first had and obtained, or shall wilfully violate any of the rules governing the Council, so as to produce disorder and disturbance of the session, such member shall be deemd guilty of contempt, and upon request of any member, the sergeant-at-arms

shall bring such offending member to the bar. The nature of the offense shall be stated to him by the President, and until he purge himself of the alleged contempt, to the satisfaction of the Council, such member shall remain in the custody of the sergeant-at-arms.

Ald. Hanovan moved to amend said rule No. 35 by striking out all thereof after the words "Common Council" in the fourth line. Carried.

Ald. Bemis moved to further amend said rule by adding thereto the following:

And the Sergeant-at-Arms shall attend all meetings of the Council at the hour appointed, and remain in attendance until the close of the session, unless otherwise ordered. It shall be his duty to prevent spectators from entering within the bar unless invited, and to prevent members from leaving unless excused. He shall bring in the absent members, under the direction of the President, and shall further obey all orders of the President in enforcing order and decorum.

Ald. Felton offered the following as a substitute for the amendment offered by Ald. Bemis:

35. It shall be the duty of every member to attend all meetings of the Council, at the hour appointed for such meeting, and to remain until the close of the session, unless excused by the Common Council; and in case any member shall absent himself from any such meeting without permission, either first obtained or subsequently, on satisfactory explanations to the Council, and excuse obtained, shall be deemed guilty of contempt, and may be punished by reprimand, by a vote of a majority of the Council. Lost.

The amendment offered by Ald. Bemis was then carried.

And said Rule as amended was then adopted.

Rule No. 36 was taken up, considered and adopted.

Ald. Allen moved to amend the report by adding thereto the following, as Rule No. 37:

Rule 37. All resolutions on the table of the Clerk, at any adjournment of the Council shall be referred by the Clerk to their appropriate committees, and printed with the minutes. Carried.

And said rule was then adopted.

Ald. Bemis moved to further amend said report by adding thereto the following, as the 38th Rule:

No legislative ordinance, act, or resolution of the Council, passed at any previous meeting thereof, shall be repealed, rescinded, or supersceded, in whole or in part, except by a vote of two thirds of the members elected to the Council. Carried.

And said Rule was then adopted.

Ald. Bemis moved to further amend said report by adding thereto the following, as the 39th Rule.

Any member rising to a question of privilege, shall confine his remarks exclusively to words said in relation to his official course, whereby he may conceive himself misrepresented or injured. But under such privilege, shall not discuss the main question, nor introduce any other subject.

Ald. Hanovan moved to lay same on the table. Carried.

Ald. Bemis moved to further amend said report by adding thereto the following, as rule No. 39.

The "previous question" shall be as follows: "Shall the main question be now put," and until it is decided, shall preclude all amendments or debate. When, on taking the previous question, the Council shall decide that the main question shall not now be put, the main question shall be considered as still remaining under debate. The main question shall be on the passage of the bill, resolution or other matters under consideration, but when amendments are pending, the question shall first be taken upon such amendments in their order. Carried.

And said rule was then adopted.

Ald. Beckwith moved that the vote taken on the adoption of Rule No. 1, be reconsidered. Carried.

Ald. Beckwith moved that subdivision No. 6, of the order of business contained in said rule No. 1, be stricken out from where it now stands, and that the same be inserted between sub-divisions No. 2 and 3, and be numbered 3, and that the balance of the subdivisions be renumbered. Carried.

Ald. Howard moved that the Council adopt an order of business to be known as "The Committee of the Whole," and that same be inserted in Rule No. 1, as subdivision No. 7, and that the Clerk be directed to correct and appropriately renumber the subdivisions of said Rule No. 1. Carried.

Ald. Palmer moved that the Rules, as amended, be adopted as a whole.

Ald. Felton moved as an amendment to the motion of Ald. Palmer, that the action had by the Council on Rule No. 6 be re-considered. Carried.

And the motion of Ald. Palmer, as so amended, was then carried. Ayes, 17; Noes, 5.

Ald. Felton moved to amend Rule No. 6 by striking therefrom the words "permitted by the Council," "to explain or," and inserting the word "to" before the word "proceed." Carried.

Ald. Howell moved that Rule No. 6, as amended, be adopted.

Ald. Howard moved to amend said Rule by adding thereto the following "or unless permitted by the Counbil to explain." Carried.

And said Rule No. 6, as amended, was then adopted.

Ald. Howard moved that the action of the Council adopting rule No. 15 be reconsidered. Carrried.

Ald. Howard moved to amend said rule by inserting before the word "and," in the fourth line thereof, the words "and all questions of order." Carried.

And said rule, as amended, was then adopted.

Ald. Bemis moved that the report of the Special Committee on Rules and Orders, presented to the Council at its last meeting, as amended at such meeting and the meeting of this day, be adopted, and that the said rules and orders therein contained, as amended, be adopted as the rules and orders of this Council. Carried.

The President resumed the Chair.

Ald. Howell moved that when this Council adjourns it adjourn to meet at one minute past 7 o'clock this evening. Carried.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

COMPTROLLER'S OFFICE,
Buffalo, Jan. 14, 1861.

To the Honorable, the Common Council:

GENTLEMEN—I respectfully report that the following named sums will be required to pay interest on Buffalo City bonds, falling due on the 1st and 2d proximo, viz:

On $92,000, 6 per cent. bonds, issued August 1, 1858, payable on the 1st proximo, in the city of New York	$960 00
On $62,000, 7 per cent. bonds, issued February 2, 1857, payable on the 2d proximo, in the city of New York	2,170 00
On $20,000, 7 per cent. bonds, issued August 2, 1857, payable on the 2d proximo, in the city of New York	700 00
Commission to Duncan, Sherman & Co., ¼ per ct.	9 58
Premium on draft, ¼ per cent	9 60
	$3,849 18

Also, on $8,000, 7 per cent. bonds, issued October 1, 1851, on account of City Ship Canal, payable on 1st proximo, at Albany	$280 00
Premium on draft, ¼ per cent	70
	$280 70

I recommend that orders be drawn in my favor upon the general fund estimates, for interest on the funded debt for 1860, for $4,129 88, for the payment of such interest.

I also report that there will be due Frederick Kull, guardian, on the 1st proximo, for rent of Police Station No. 4, $25; Edgar C. Dibble, for rent of Police Station No. 2, $37 50, and would recommend that orders be drawn in their favor, respectively, for the above amounts, on the general fund, 1860, estimates for the Police Department, in payment of such rent.

Respectfully submitted,

ALONZO TANNER, Comptroller.

Filed and orders directed to be drawn.

FURTHER FROM THE COMPTROLLER.

COMPTROLLER'S OFFICE,
Buffalo, Jan. 14, 1861.

To the Hon. the Common Council:

In compliance with a resolution adopted by your honorable body on the 27th ult., requiring me to report any and all orders withheld under said resolution, I respectfully report that the order for $75 drawn in favor of Charles Gardner, on the 24th ult., in full payment for his services as Watch House Justice, is still in this office. Mr. Gardner proposed to deposite said order in the City Treasury in part payment of his indebtedness to the city for fines collected, which proposition I accepted, but on his refusing to sign a receipt for the same in full payment and satisfaction of his salary, I withheld the order with his assent, and he also promised to report to me at once the amount of his collections, &c., which report he has neglected to make. The amount collected for fines during the year 1860, as appears by the report of the Chief of Police, submitted to you on the 7th inst., is $2,140 25, of which H. B. Burt collected $31; Charles Gardner collected $1,735 25, and Charles T. Shattuck $374. Justice Shattuck has paid into the treasury the full amount collected by him. Justice Burt's account for the years 1859 and '60 I have not examined, but think he is still indebted to the city in some amount. Justice Gardner has paid into the treasury $1,244, leaving him still indebted $488 25. He refuses to accept his salary as fixed by the Council for 1860, and it would thus seem that the matter may be litigated. It is time that officers of the city government should understand that they can not knowingly retain with impunity the monies of the city. An officer so doing and withholding monies due the city may be arrested criminally, indicted and convicted of a misdemeanor, fined or imprisoned, or both, and broken of his office, besides being liable in a civil prosecution for such amount of indebtedness. I recommend that in this, and in all other cases of defalcations to the city, where the statute of limitations has not run, a summary process be adopted when a full and immediate settlement cannot otherwise be had.

I also report that the order directed to be drawn on the 24th ult., for $225, in favor of C. S. Macomber, Esq., City Clerk, has not as yet come to this office, the same being retained by Mr. Macomber.

Respectfully submitted,

ALONZO TANNER, Comptroller.

Ald Howell moved that said communication be received and placed on file, and that the subject matter thereof be referred to the Committee on Finance and City Attorney, with directions to prosecute.

Pending the question on the above motion, the hour of 7 o'clock P. M. arrived, and the President declared the Common Council adjourned until one minute past 7 o'clock this evening

O. F. PRESBREY, City Clerk.

IN COMMON COUNCIL,
Buffalo, Monday, Jan. 21st, 1861,
At one minute past 7 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council, and Ald. Allen, Beckwith, Bemis, Brush, Crowder, Felton, Goembel, Grass, Hannovan, Howard, Howell, Jones, Pratt, Russell, Rutter, Savage, Scheu, Schwartz, Storck, Wheeler and Yaw.

Absent—Ald Adams, Dorr, Mills, Palmer, and Walsh.

The reading of the minutes of the last meeting was dispensed with.

OFFICERS OF THE CORPORATION.

Ald Howard moved that the communication of the Comptroller, under consideration at the adjournment of the Council this afternoon, be now taken up. Carried.

Ald Beckwith moved that so much of the said communication as relates to orders directed to be drawn in favor of C. S. Macomber, be referred to the Committee on Finance, and that the balance thereof be referred to the Committee on Finance and City Attorney. Carried.

FURTHER FROM THE COMPTROLLER.

COMPTROLLER'S OFFICE,
Buffalo, January 21, 1861.

To the Hon. the Common Council:

GENTLEMEN:—The city has tax scrip of the sales in 1854 in amount about $3,000; of the tax sales in 1855 about $3,000; for the year 1856 about $4,000; 1857 about $12,000; 1858 about $8,000; and of the sale in 1859 probably $25,000 in amount. It would certainly be gratifying to me, as I have no doubt it would to your Honorable Body, could any plan be adopted whereby the bulk of the scrip owned by the city for the years named, could be paid; and the city treasury receive the funds therefor. Every subsequent sale of a lot for unpaid taxes impairs the liens of prior sales on the same lot. I know of no better way for the city to realize the money on these scrips, than that the Common Council should vest some discretion in the Comptroller, so that he may be authorised where circumstances will justify, to receive the taxes for these years at a less rate of interest than that fixed by the Charter. In order that the tax-payer may receive the benefit of such reduction, I would recommend that I be directed to advertise in the official

paper for three months, that any and all tax-payers will be permitted to pay such back taxes and redeem their respective lots from such sales so held by the city, at any time within said period of three months, by paying into the city treasury the amount for which the same were sold, and interest at a rate not less than seven per cent thereon, together with any expenses that may have been incurred for searches, serving of notices, &c. The city certainly would lose nothing if this plan should be adopted, while our oppressed citizen tax-payers would be much benefited and have an inducement held out to them to clear their lands of taxes. It will be seen that the plan proposed is wholly for the benefit of those indebted, and not for the benefit of parties dealing in scrip by way of speculation. At the expiration of said three months, I would allow any and all parties the privilege of buying scrip on the same terms. If the foregoing or a similar policy should be adopted at once, I think a large amount would soon be realized and the tax loan fund kept good to meet liabilities thereon as they may accrue, and parties interested, and the city, mutually benefited. The accumulation of back interest on old sales is so large, in many instances exceeding the principal, that tax payers find their burdens in this respect onerous in the extreme, and they certainly will appreciate by early payments the liberal policy proposed. If this policy should be adopted, I would compel parties redeeming under the same to pay all back taxes and make full redemptions for all sales prior to the sale of 1859."

Respectfully submitted,

ALONZO TANNER, Comptroller.

Filed and subject matter referred to Committee on Finance and Comptroller.

FURTHER FROM THE COMPTROLLER.

COMPTROLLER'S OFFICE,
Buffalo, Jan. 21, 1861.

To the Honorable the Common Council of the City of Buffalo:

GENTLEMEN,—If you should not be able to act upon the subject of Charter amendments at your meeting this day, I would suggest that you have a meeting on the 22d or 23d instant, to fully consider the subject. Many of these proposed amendments are of much importance, and must soon go before the Legislature, if passed into a law during the present session.

I have a bill for the collection of County taxes by the Receiver, and sale of lands for the non-payment of taxes by the Comptroller, which I purpose laying before your honorable body at such meeting.

I have seen the Hon. S. V. R. Watson this day, and he expresses a desire that the Council shall act at once.

Respectfully submitted,

ALONZO TANNER, Comptroller.

Ald. Howard moved that said communication be received and placed on file, and that when this Council adjourns, it adjourn to meet to-morrow, Tuesday, evening, at seven o'clock, for the purpose of considering the subject matter of said communication.

Ald. Savage moved to make the time Thursday next, at half-past two o'clock, P.M. Lost.

And the motion of Ald. Howard was then carried.

FROM THE CITY ATTORNEY.

CITY ATTORNEY'S OFFICE,
BUFFALO, Jan. 21, 1861.

To the Hon. the Common Council of the City of Buffalo:

I hereby report that the appeal taken by the City in the case of Asa B. Meech and others against the City of Buffalo was argued at the last General Term of the Superior Court and has been decided in favor of the City.

This action involved the validity of the assessment made to pay Robert J. Randolph an additional compensation for constructing sewer in Mariner street, between Virginia and Allen streets.

Respectfully submitted,

GEORGE WADSWORTH,
City Attorney.

Received and placed on file.

The Street Commissioner reported the amount due the keeper of Johnson's Park for services to January 1, 1861. Order directed to be drawn.

The Street Commissioner also reported that there was more than $500 due to Henry Harter, Jr., for work done on his contract for constructing sewer in southerly side of Batavia street, and recommended that an order for $400 be drawn in favor of said Harter, to apply on such contract. Referred to Committee on Sewers.

FURTHER FROM THE STREET COMMISSIONER.

OFFICE OF THE STREET COMMISSIONER,
Buffalo, Jan. 21, 1861.

To the Hon. Common Council:

Gentlemen—The undersigned reports the following walks completed under his direction, in accordance with your orders, at the expense severally as hereinafter named, to wit:

Sidewalk constructed on the easterly side of Johnson street, from Genesee street to a point 763 feet northerly therefrom—$16.

Sidewalk constructed on the easterly side of Herman street, from Genesee street to a point 850 feet southerly therefrom—$16.

Sidewalk repaired on the southwest side of Fifth street, between Georgia and Carolina streets—$42 32.

Sidewalk repaired on the easterly side of Hickory street, between Batavia and William streets—$12.

Sidewalk repaired on the easterly side of Spruce street, between Sycamore and Genesee streets—$4 48.

Sidewalk repaired on the northerly side of Batavia street, between Washington street and Blossom Alley—$11 32.

Sidewalk repaired on the east side of Oak street, between Genesee and Sycamore streets—$24 72.

Sidewalk repaired on the westerly side of Spring street, between Batavia and Sycamore streets—$48 32.

Sidewalk repaired on the easterly side of Pratt street, between Sycamore and Genesee streets—$16.

Sidewalk repaired on the easterly side of Michigan street, between Sycamore and Genesee streets—$44 96.

Sidewalk repaired on the southerly side of Genesee street, between Elm and Michigan streets—19.

Respectfully submitted,

L. J. WATERS, Street Commissioner.

Referred to Committee on Side and Crosswalks.

FROM THE CITY SURVEYOR

OFFICE OF THE CITY SURVEYOR,
BUFFALO, January 14, 1861.

To the Hon. the Common Council:

In pursuance of your resolution of January 7, I hereby nominate the following named persons as assistants in my office:

John A. Ditto, Assistant Surveyor, at $700
William Sime, Clerk and Draftsman, at $500.
Warren Granger, Jr., Rodman, $350.
Charles Thorp, Axeman, $350.

Very respectfully,
PETER EMSLIE,
City Surveyor.

Ald. Howard moved that the said communication be received and placed on file and that the persons therein nominated be confirmed.

Ald. Felton was called to the Chair.

Ald. Bemis moved that all of the persons therein nominated, except Warren Granger, Jr., be confirmed, and that the subject matter of the confirmation of said Granger be referred to the Committee on Streets.

Ald. Howell called for a division of the question.

The question was then taken on confirming all of the persons nominated in said communication, except Warren Granger, Jr., and the same was carried. Ayes 20, Noes 0.

The question was then taken on referring the subject matter of the confirmation of Warren Granger to the Committee on Streets, and the same was lost. Ayes, 9; Noes, 12.

The said Granger was then confirmed. Ayes, 18; Noes, 7.

FURTHER FROM THE CITY SURVEYOR.

Buffalo, January 14th, 1861.

In compliance with your order of Nov. 26th, 1860, I advertised for proposals for widening, straightening and enlarging Buffalo Creek, at the Toll Bridge on Ohio street, and constructing masonry, &c., for a swing-bridge across said enlargement. Also, for iron and wood bridge superstructures, both for one and two openings.

I submit herewith abstracts of all the proposals received for doing the above mentioned work.

Respectfully yours,
PETER EMSLIE, City Surveyor.

Referred to Committee on Streets.

FURTHER FROM THE CITY SURVEYOR.

BUFFALO, January 14, 1861.

In reply to your resolution, of Dec. 31st, 1860, directing me to report whether there is any sewer in Indiana street, I submit the following abstract from the Common Council proceedings.

July 15th, 1845. Stone sewer ordered constructed on west side of Indiana street, from north side of Ohio street to Big Buffalo Creek.

September 16th, 1845. Brick sewer ordered constructed two feet wide and ten feet deep in the clear, in Indiana street, from Perry street to intersect with sewer at Ohio street, already ordered.

Assessment roll for above sewers—$2,110 51, filed January 28th, 1846.

Mayor's warrant for collection, given April 7th, 1846.

Respectfully Yours,
PETER EMSLIE, City Surveyor.

Referred to Committee on Sewers.

FURTHER FROM THE CITY SURVEYOR.

BUFFALO, Jan. 14th, 1861.

In compliance with your resolution, adopted Dec. 27th, 1860, directing me to report to you, any and all obstructions in Niagara street, between Ferry and Amherst streets, I herewith submit maps showing those portions of Niagara street, which are obstructed by fences, houses, or otherwise, and the extent of said encroachments.

Respectfully Yours,
PETER EMSLIE, City Surveyor.

Referred to Committee on New Territory.

FROM THE SUPERINTENDENT OF SCHOOLS.

SUPERINTENDENT OF SCHOOLS' OFFICE,
BUFFALO, Jan. 14, 1861.

To the Hon. the Common Council:

GENTLEMEN:—On the 3d of December last I communicated to the Common Council my apportionment of the moneys due from the School Fund of 1860 to the St. Vincent's Orphan Asylum. The law governing this apportionment reads as follows:

"§ 1. The schools of the several incorporated Orphan Asylum Societies within this State, other than those in the city of New York, shall participate in the distribution of the school monies, in the same manner and to the same extent in proportion to the number of children educated therein, as the common schools in their respective cities or districts."

"§ 2. The schools of said societies shall be subject to the rules and regulations of the common schools in such cities or districts, but shall remain under the immediate management and direction of said societies, as heretofore."

Since my apportionment was made, I have been called upon by Rt. Rev. John Timon, Bishop of Buffalo, the corporator, or one of them, of St. Vincent's Orphan Asylum. He urges upon me that the law evidently intends an apportionment to these orphans, per capita, of all the monies raised by general fund tax for school purposes, whether for salaries, fuel, maintenance or repairs. Taking the school fund of 1860 as the basis, such an apportionment would be as follows: Total School Fund, $77,681 66; total School population, 30,158; Per capita to each scholar, $2 54 1-10. Making the apportionment to St. Vincent's Asylum, $241 18. But Bishop Timon further claims that the apportionment should be made on the actual cost of instruction per scholar; which would make the amount due St. Vincent's some $500 or $600.

I am disposed, however, to believe that my apportionment is legal and just. The City of Buffalo is a single school district, with one trustee—the Superintendent of Schools. The subdivisions known as "districts" are mere local conveniencies, and in the distribution of money to them, the Superintendent is govered only by the amount he considers necessary to their support. In some districts the cost of instruction, per scholar, is twenty dollars per annum; in others, not more than five dollars. In some instances, teachers legally presumed to be of equal capacity, receive $1,000 per annum; in others, only $325 per annum. There is, therefore, no basis of equality among the districts themselves, upon which to apportion moneys to Orphan Asylums. But in all instances the school population of the district does govern the expenditure, and in proportion to the number of scholars the expenditures to each district increases. The school

population of the district known as St. Vincent's Orphan Asylum is 96; that of the city, 30,153. In my apportionment, I assumed that the State law could reach only the State moneys, viz: $24,526 58; inasmuch as the remainder of the school fund, raised by tax upon the city, is in part devoted to repairs and department expenses, and is literally and absolutely under the control of the city, without reference to any existing State legislation.

Should the other theory be adopted, St Vincent's Orphan Asylum would thereby become a "district," falling under the authority of the Superintendent to support it at such an expense as he may deem necessary; and, furthermore, it will then be his duty to enforce the ordinances as to the qualifications of teachers, the observance of holidays, full school-hours, avoidance of sectarian teaching, and other regulations specified by the law, when it provides that "the schools of said Societies shall be subject to the rules and regulations of the common schools in such cities or districts." This course has been already pursued in the case of the Buffalo Orphan Asylum, which stands merely *in loco parentis* to its children, exerting no more authority or control over their education than is conceded to any parent. In this case the system of entire subjection to the Department has been found to work to the great convenience of the Asylum and its neighborhood.

Respectfully,
SANFORD B. HUNT,
Superintendent of Schools.

Referred to Committee on Schools, and ordered to be printed.

FROM THE FIRE MARSHAL.

FIRE MARSHAL'S OFFICE,
Buffalo, Jan. 21, 1860.

To the Hon. Common Council:

GENTLEMEN—A Fire occurred on the morning of the 9th inst., about half past 4 o'clock, in the brick building 207 Washington street, owned and occupied by James Adams & Co., tobacconists. Damage on building $3,000; do. on goods and machinery $20,000. Insured on building $8,000; do. on goods and machinery $18,000.

The fire was, without doubt, the work of an incendiary.

The testimony taken in relation to the origin of the fire is on file in my office.

Respectfully submitted,
D. KISSOCK, Fire Marshal.

Filed.

FROM THE CITY CLERK.

To the Hon. Common Council:

I would respectfully call the attention of your honorable body to the record of deaths in this office.

I find the physician's certificates of the cause of deaths, unrecorded since September, 1859, and the alphabetical record I find behind since the 1st of January, 1859.

I also find the record of the Common Council proceedings not entered on the book of Record since July last, and Index of same from last May, is behind.

I am fully satisfied that it will be necessary to furnish this department with another clerk, as the force named by you in the proceedings of January 7th, 1861, will not be sufficient to keep up with the current business, to say nothing of the bringing up the proceedings and records of the past Councils. All of which is respectfully submitted.

O. F. PRESBREY, City Clerk.

Filed, and subject matter referred to Committee on Finance.

FURTHER FROM THE CITY CLERK.

To the Common Council.

Gentlemen,—I have appointed John W. Stewart as Deputy City Clerk, and Charles A. Clark as Recording Clerk, in my department, and ask your honorable body to confirm such appointments.

O. F. PRESBREY, City Clerk.

Ald. Howell moved that the said communication be filed and that the nominations be confirmed.

Ald. Beckwith called for a division of the question.

The question was then taken on the confirmation of John W. Stewart, and the same was carried.

Ald. Beckwith moved to refer the subject of confirming Chas. A. Clark to the Committee on Finance. Lost.

The said Clark was then confirmed.

The City Clerk also reported that at a meeting of the Board of Health, held Jan. 12, 1861, John Elliott and George Rheinhardt were nominated as suitable persons for Health Inspectors for the ensuing year, and the Clerk was directed to present their names to the Common Council for confirmation.

Filed and nominations confirmed.

The City Clerk also reported that at a meeting of the Board of Health, held Jan. 12, 1860, the account of Adam Karn, for removing dead animals from streets, from January 1st to 7th, inclusive, was audited at $7 50, and referred to this Council with a request that provision be made for the payment of the same.

Referred to Committee on Sanitary Measures.

FROM THE WATER COMMISSIONER.

To the Hon. the Common Council of the City of Buffalo:—

In compliance with Section 18 of Chapter 19 of the City Ordinances, I hereby report the condition of the Jubilee Water Fund for the year 1860, showing the balance in said fund Jan. 1st, 1860, the additions to same, and disbursements therefrom during said year:

Paid salary of Water Commissioner for quarter ending Dec. 31, 1859	$ 37 50
Paid salary of Water Commissioner from Jan. 1 to Oct. 1, 1860	75 00
Paid for labor performed in 1859	69 00
" " " 1860	404 17
Paid for sundries	9 05
Paid for repairs	24 94
Paid for pipe, &c	299 39
Paid for cisterns and pump boxes	53 90
Paid for lumber	10 00
Paid for books	15 00
Tax cancelled	5 04
Personal tax not collectable	9 31
Paid County tax of 1859, on Jubilee Water Works	9 81
Paid principal on bonds	3,000 00
Paid interest on bonds	210 00
Paid interest on orders	57 51
	$4239 62

Balance in fund Jan 1, 1860	$4148 25
Additions from roll No. 1582	97 69
" " " 1946	144 56
From A. Fleeman and S. W. Howell, for use of water	8 00
Interest on taxes paid through Comptrollers office	101 03
For pipe furnished to persons by Commissioner.	16 10
	$4515 63
Balance in fund Jan. 1, 1861	226 01

There are claims against said fund, contracted during the year 1860, yet outstanding, amounting to $115 48.

Respectfully submitted,

G. J. WOELFLE, Water Commissioner.

Received and placed on file and ordered printed.

The Chief of Police reported the pay-roll of the Captains of Police and Policemen whose term of office expired January 7th, 1861: total $568 94. Referred to Committee on Police.

The written resignation of Godfrey Sacker of the office of Constable of the 10th Ward, was presented. Filed and resignation accepted.

Assessment Roll, No. 2289, for repairing Linwood avenue between Utica and Bryant streets, amount $42, was taken up.

Ald. Howard moved that the consideration of said Roll, and of the objections thereto, be further postponed until one week from to-day. Carried.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Howard—That the City Clerk, in making up the proceedings of the Council for printing, be directed to abridge all communications from City officers, so as to omit all formal portions thereof, and print only the body or substance thereof. Adopted.

By Ald. Allen—That the Common Council of the City of Buffalo, do hereby request and authorize his honor the Mayor, on behalf of the City, to offer a reward of one thousand dollars to any person or persons who may give such information as will lead to the detection and conviction of the person or persons who fired the premises of James Adams & Co., on Washington street, on Wednesday morning, the 9th day of January, 1861.

Ald. Howell moved to amend said resolution by striking out $1000, and inserting $500 in place thereof. Carried.

And resolution as amended adopted.

By Ald. Howard,—That a committee of seven members of this Council be appointed by the President on the subject of the International Bridge. Adopted.

Ald. Howard, Palmer, Yaw, Adams, Swartz, Felton and Walsh were appointed as such committee.

By Ald. Hanovan,—That the City Clerk be and he is hereby directed to so alter the minutes of the Common Council, for the meeting held December 31, 1860, so that it shall appear by said minutes that Herman Ohlmer was appointed a Commissioner of Deeds in place of Truman Ohlmer, the said name of Truman Ohlmer having been inserted therein by mistake, and that Herman Ohlmer be and is hereby appointed a Commissioner of Deeds in and for the city of Buffalo. Adopted.

By Ald. Felton—That the wood dealers be allowed to use the Terrace, between Main and Pearl streets for the exposure and sale of wood. Referred to Committee on Police.

By Ald. Yaw—That the Fire Marshal and Fire Committee be directed to purchase a span of horses for the new steam fire engine, lately purchased of the Shepard Iron Works, at a price not exceeding four hundred dollars.

Ald. Howell moved to limit the expense to $250.

Ald. Howard moved to make it $300. Accepted.

Ald. Allen moved to make the sum $350. Lost

Ald. Pratt moved to make the same $325. Lost.

The said resolution was then lost.

By Ald. Storck—That a synopsis of the Council proceedings be printed in the "Telegraph," in the German language, at an expense not to exceed $550 per year, and that the heads of departments be authorized to publish such notices in the same paper, as may be of general or local importance to the German tax payers.

Ald. Howard moved to amend the said resolution, so that the whole expense of printing proceedings, and publishing notices shall not exceed $800. Amendment accepted.

Ald. Beckwith moved to further amend said resolution, by inserting the words "Weltberger and Democrat," after the word "Telegraph." Lost.

And the said resolution as amended was then adopted.

Ald. Howard moved to reconsider the vote taken on the motion to adjourn until to-morrow evening. Lost. Ayes, 10; Noes, 10.

By Ald. Yaw—That the Fire Marshal and Committee on Fire be directed to purchase a span of horses for the Shepard Steam Fire Engine, at a price not exceeding 375 dollars.

Ald. Allen moved to strike out $375 from said resolution, and to insert in place thereof $355. Amendment accepted, and resolution, as amended, adopted.

By Ald. Russell—That the Main street Railroad Co. be and are hereby ordered to run their cars over the entire length of their road, as often as once every fifteen minutes, for fourteen hours of the day, commencing at the northerly end of the road as early as half-past 6 in the morning, in accordance with the 8th and 9th rules of the Rules and Regulations governing the Main street Railroad Co. Adopted.

By Ald. Howard—That the City Clerk and Auditor be authorized to procure two new stoves for this Council Chamber, at an expense not exceeding $20 each, and that they be authorized to sell or dispose of those now in use in the Council Chamber, and use the proceeds in the purchase of such new stoves. Adopted.

Also, that the City Clerk be and he is hereby authorised to paint and whitewash, and make other improvements in his office, at an expense not to exceed $12, and report the same to this Council. Adopted.

By Ald. Howard—That the Auditor be and he is hereby authorized to cause a coal grate to be put into the office of the Superintendent of Schools, at an expense not to exceed fifteen dollars. Adopted.

By Ald. Pratt—That O. C. Houghton be appointed a Commissioner of Deeds. Referred to Committee on Schools.

By Ald. Felton—

Whereas, The term of office of Stephen W. Howell, as Alderman from the 12th Ward of this City, did expire on the first Monday in January, 1861; and

Whereas, The electors of said 12th Ward did fail to select an Alderman, at the last general election, to fill the vacancy created by the expiration of the term of office of the said Stephen W. Howell; therefore,

Resolved, That this Council do hereby order a special election, to be held in the 12th Ward of the City of Buffalo, on the second Tuesday in February, 1861, at the same place the last annual election was held, for the purpose of electing an Alderman for said Ward; and that the City Clerk give the necessary notice for such election.

Ald. Pratt moved to refer said resolution to the Committee on Water.

Ald. Howard moved to lay said resolution on the table. Lost. Ayes, 9; Noes, 9.

The motion of Ald. Pratt was then carried.

Ald. Jones called up the following petition, presented to the Council at the meeting this afternoon, and laid upon the table:

To the Honorable the Common Council of the City of Buffalo:

The undersigned begs leave to call your attention to certain abuses now existing in the collection of City Tax scrip, and to that end respectfully calls your attention to the following statement:—

On or about the —— day of December, notice that the property described in Tax Sale certificates, Nos. 1221, 1257, 1222, 1248 and 1258, for taxes assessed to Raze & Dickey, was served by William A. Chard as a Notary Public, and as holder of said certificates, on Mann & Lord, in the city of New York.

That said notices were by them sent to your petitioner for the purpose of redemption.

That on the 11th day of January, 1861, your petitioner called on said Chard for the purpose of redeeming said Tax Sale certificates.

That the amount of certificates Nos. 1221 and 1257, and for which the same were sold, was $9 75, to redeem which said Chard demanded and required the sum of $23 05.

That both certificates covered the same premises included under one fence and one occupation.

That amount of tax sale certificates Nos. 1222, 1248 and 1258 was $17 38—to redeem which said Chard demanded and required the sum of $38 83.

That said Chard had with each of said certificates a search, and demanded on each $1 25 for notices, but presented no proof of service of notices, and finally accepted 25 cents for each notice served.

That on or about the 10th day of February, 1860, your petitioner redeemed 15 tax sale certificates from said Chard, of a like character, and a portion on the same premises, and then enquired of said Chard, if he had any other certificates in which your petitioner was interested or against Rase & Dickey, and then offered to pay them, and was told by said Chard that he had none. Yet your petitioner finds annexed to the certificates hereinafter mentioned, an affidavit of S. C. Adams, as deputy clerk of search sworn to on the 13th day of February, 1860, and a search annexed to each of said certificates of sale at an expense of $2 75 for each of said searches.

That at the time your petitioner paid the scrip herein mentioned, he supposed said William A. Chard to be the owner of the same.

That on paying the same to said Chard, he endorsed on the face of said scrip, "Received payment, January 11, 1861. W. A. Chard."

Your petitioner after payment took such scrip to the Comptroller's office, in order to have the same cancelled and discharged, and delivered them to J. F. Chard, Deputy Comptroller, who endorsed across the face of the same, "Discharged January 12, 1861. J. F. Chard, Dep. Compt."

That since said payment and discharge of said scrip, your petitioner has further examined said scrip and finds said W. A. Chard was not the owner of said scrip or assignee thereof, or entitled to receive or demand money on them or direct their discharge, and finds that in fact the same belongs to the City of Buffalo, and that fees and expenses have been made on the same by said Chard, as the agent of the city.

Your petitioner respectfully asks your Honorable Body in view of the large and onerous taxation that such order may be taken in the premises as shall relieve your petitioner, and other tax-payers, from further imposition and unnecessary expense in like cases, and determine by what authority the burthens of tax-payers are increased by those having no power, authority or interest in the scrip belonging to the city, and by whose direction such expenses are made.

And that your petitioner may have refunded to him the sum of $13 75, paid to said Chard, as an agent of said city, for said searches, and that such further order may be taken as to the Council shall seem fit and proper.

W. W. MANN.

Referred to Committee on Finance, and ordered printed.

By Ald. Howard—That Roswell Chapin and Carl Hutter be appointed Commissioners of Deeds. Referred to Committee on Schools.

The Common Council then adjourned to meet to-morrow (Tuesday) evening, at 7 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 4.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
BUFFALO, Tuesday, Jan. 22, 1861,
at 7½ o'clock, P. M.

Present—Asaph S. Bemis, Esq., President of the Council, and Ald. Brush, Felton, Grass, Howard, Howell, Palmer, Rutter, Schwartz, Storck, Walsh, Wheeler and Yaw.

Absent—Alderman Adams, Allen, Beckwith, Crowder, Dorr, Goembel, Hannovan, Jones, Mills, Pratt, Russell, Savage, and Scheu—13.

A quorum not being present, the Common Council adjourned to meet next Monday afternoon, Jan. 28, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

Special Meeting.

IN COMMON COUNCIL,
Buffalo, Friday, January 25th, 1861,
At 2 o'clock, P. M.

Present—Asaph S. Bemis, Esq., President of the Council, and Ald. Allen, Brush, Crowder, Dorr, Felton, Goembel, Grass, Hannovan, Howard, Howell, Jones, Mills, Pratt, Rutter, Scheu, Storck, Walsh, Wheeler and Yaw.

Absent—Ald. Adams, Beckwith, Palmer, Russell, Savage and Schwartz.

The minutes of the meetings held Monday, January 21st, 1861, were approved.

PETITIONS.

Of S. W. Bagnall, to be appointed Constable of the Tenth Ward. Referred to Committee on Police.

ACCOUNTS REFERRED.

C. Bull, for repairing bridge across Evans Ship Canal on Erie street. Referred to Committee on Streets.

John Wannop, for repairing sewer in Jersey street, near the northeasterly side of Niagara street. Referred to Committee on Sewers.

REPORTS OF COMMITTEES.

Ald. Mills, from the Committee on Police, reported in favor of allowing the account of Dan B. Castle, for clock for Police Station No. 4. Amount, $1. Adopted.

Also, in favor of the adoption of the following resolution:

That the wood dealers be allowed the use of the Terrace, between Main and Pearl streets, for the exposure and sale of wood, until May 1st, 1861, unless otherwise ordered by the Council.

Ald. Felton was called to the chair.

Ald. Bemis moved to lay said resolution on the table. Lost—Ayes, 8; Noes, 11.

The President resumed the chair.

Ald. Howell moved to refer said resolution back to the Committee on Police. Lost.

Ald. Pratt moved to amend so that the wood dealers be obliged to go to the several markets.

Ald. Howard moved to amend the motion of Ald. Pratt so as to except dealers desiring to sell east of Louisiana and Hickory streets. Lost.

The motion of Ald. Pratt was then lost. Ayes 10 Noes 10.

And the said resolution was then lost. Ayes 9, Noes 11.

Ald. Dorr, from the Committee on Public Grounds, reported in favor of the adoption of the following resolution:

That Richard Paul be and he is hereby appointed Keeper of Johnson Park for the year 1861, at a salary of $50 per year. Adopted.

Ald. Howard moved that the Common Council do now resolve itself into the Committee of the Whole, for the purpose of considering the report of the Special Committee on Charter Amendments, presented to the Council Dec. 17, 1860. Carried.

Ald. Howell was called to the Chair.

The Committee of the Whole rose, and by their Chairman, Ald. Howell, reported that they had had the subject matter of the report of the Special Committee on Charter Amendments under consideration, had made some progress therein, and asked leave to set again. Leave granted.

Ald. Howard moved that when this Council adjourns it adjourn until half past seven o'clock this evening. Carried.

The Common Council then adjourned to meet at half past seven o'clock this evening.

O. F. PRESBREY, City Clerk.

IN COMMON COUNCIL,
Buffalo, Monday, Jan. 28, 1861,
at 2 o'clock, P. M.

Present.—Asaph S. Bemis Esq., President of the Council, and Aldermen Allen, Beckwith, Brush, Crowder, Dorr, Felton, Goembel, Grass, Hanovan, Howard, Howell, Jones, Mills, Palmer, Pratt, Rutter, Savage, Scheu, Schwartz, Storck, Walsh, Wheeler, and Yaw.

Absent—Aldermen Adams and Russell.

The minutes of the last meeting were approved.

OFFICERS OF THE CORPORATION.

COMPTROLLER'S OFFICE,
Buffalo, Jan. 28, 186'.

To the Honorable, the Common Council:

GENTLEMEN: I herewith submit to your honorable body, as required by the City Charter, a statement in detail, of the several sums that will, in my judgment, be required to meet the expenses of the year for all proper city purposes, and of the condition of the funds and revenues of the City, and showing what balance will, in my opinion, be necessary to be raised for specific purposes, "in which is included the sum required for the support of the Free Schools, for twelve months, and to pay such principal and interest of such portion of the funded debt of the City, as shall be due, or become due within eighteen months after the first day of April next, and is not otherwise provided for." Acting upon the knowledge of the wants of the various departments of the City Government, and judging from the experience I have had in the discharge of the duties incumbent upon me, I have endeavored to estimate for no larger amounts than shall be reasonably, or rather actually necessary to meet the requirements of the Charter. The total amount of estimates, as will be seen by the statement in detail, is $293,-247 82; less estimated resources, $38,259, leaving $254,-907 36, amount to be raised by tax for the current year.

The estimate for the different departments is considerably less in the aggregate than the amount fixed in 1860. My estimate for the departments of the government are $17,161 66, less than the amount appropriated for the year 1860. This is exclusive of principal and interest on the funded debt. That is, the estimate for the Mayor's, Common Council, Comptroller's, Treasurer's, Assessor's City Clerk's, City Attorney's, Board of Health, Receiver of Taxes, Police, Public Ground, Superior Court, Lamp, Hydrant and Water, Market, Election Expense, and Fourth of July Departments, and for dredging outside North Pier, Erroneous Taxes, and for interest on orders, is in the aggregate, $22,758, less than the amount appropriated for 1860, while the Surveyor's, Poor Master's, Street Commissioner's, Fire, City Hall, and School Departments, have been increased, in the aggregate, $5,-596 34.

In my judgment, the several departments have been, and are being, economically managed. I have estimated for one clerk in the City Clerk's office, and also for one clerk in the Street Commissioner's office, more than your honorable body have determined for these offices respectively. I am satisfied this help is and will continue for a year at least to be needed in these two departments. My estimate for the Fire Department is largely increased on the supposition that two new steam fire engines will be purchased during the year. If this should not be deemed advisable, the estimate for this department can, of course, be materially lessened. The School Department is increased over last year, in my estimate for the current year $2,[illegible] owing to the increased number of Teachers. The Buffalo Savings Bank holds $11,000 of the bonds issued Oct. 2, 1852, on account of Ship Canal, and the President and Secretary of said bank have given me notice that the money would be required this year, hence, I have estimated for the same. These bonds were payable in one year from their issue. I regret that the bank requires this money so soon, for I am not without hopes but the money might eventually be realized from ship Canal tax scrip, and so save the general fund from the payment of same. I have estimated nothing for the Local Improvement and Special Local Fund, as in the first named fund there is a balance of $1,458 09, and in the last named $569 69, it not being necessary in my judgment to increase these funds this year.

The Library Fund is not provided for by taxation—the balance in the same is $208 01, to which will soon be added $1,166 25, the apportionment from the State.

The following table shows in the first column the amount determined and fixed for city purposes for the years 1854 to 1861, and the second column shows the actual amount raised during these years by direct tax after deducting the estimated resources for said years:

Year.	Total am't of estimates.	Am't raised by Tax.
1854	$322,155	$322,155
1855	342,980	273,580
1856	419,063	319,900
1857	442,650	297,825
1858	364,927 25	293,777 25
1859	296,009 90	239,419 90
1860	297,673 60	255,073 60
1861 estimated	293,247 82	estimated 254,997 82

It affords me pleasure to act with your honorable body in any and all measures calculated to lessen our city expenses, and I trust after you shall have passed upon the estimates herewith submitted, the public at large, interested as well as ourselves, will be satisfied that the action had in the premises is right.

Respectfully submitted,

ALONZO TANNER, Comptroller.

STATEMENT OF COMPTROLLER, made pursuant to sections 5 and 6 of the Revised City Charter, and presented to the Common Council of the City of Buffalo, January 28th, 1861.

Mayor's Department, 1861			$2,250 00
Common Council " "			7,950 00
Comptroller's " "			6,000 00
Treasurer's " "			2,450 00
City Surveyor's " "			3,000 00
Assessors' " "			4,900 00
City Clerk's " "			3,650 00
Poor Master's " "			1,950 00
Auditor's " "			1,000 00
City Attorney and Legal Expense " "			5,000 00
Board of Health " "			4,000 00
Receiver of Taxes " "			3,900 00
Street Commsn's " "			8,500 00
Fire " "			20,200 00
Police " "			30,200 00
City Hall & Porters " "			1,900 00
Public Grounds " "			1,250 00
Harbor Masters' " "			1,200 00
Superior Court " "			9,500 00
Lamp " "			22,000 00
Hydrant & Water " "			12,900 00
Market " "			3,000 00
Election Expense " "			1,600 00
Fourth of July, &c. " "			1,000 00
Dredging Buffalo Harbor Department, 1861			1,000 00
Principal on Funded Debt "		$61,000 00	
Less amount provided for "		26,000 00	38,000 00
Interest on Funded Debt "		$54,520 52	
Less amount provided for "		16,512 57	38,097 95
School Fund "		$80,392 00	
Less am't received from State "		24,652 13	55,739 87
Interest on General Fund Orders Department			1,000 00
Erroneous Taxes "			200 00
Total Amount of Estimates			$293,247 82

Revenues and Resources, 1861.

Unexpended balance of appropriations for 1860		$9,000 00
Additions to General Tax, 1861, by Receiver		5,000 00
Fees and interest collected by Comptroller		8,750 00
Interest on deposits		6,500 00
Fines and Penalties		2,000 00
Licenses		2,300 00
Elk Street Market	$2,150 00	
Washington	1,450 00	
Clinton	300 00	
Niagara	200 00	4,100 00
Local rolls for publishing notices		300 00
Erie County on account of Board of Health		300 00
Total Amount of Resources		$38,250 00
Amount to be raised by tax		$254,907 36

COMPTROLLER'S ESTIMATES FOR 1861, IN DETAIL.

Mayor's Department, 1861.

Salary of Mayor	$1,600 00
Payment of Rewards	400 00
Printing, stationery and advertising	150 00
Contingencies	100 00
Total	$2,250 00

Common Council Department, 1861.

Salary of Aldermen	$2,600 00
" " Sergeant-at-Arms, $60, Messenger, $60	120 00
Publishing proceedings in city paper	1,850 00
" " pamphlet form	500 00
" notices in city paper	400 00
" tax sale " "	600 00
" ordinances in "	500 00
Re-printing city charter and ordinances	860 00
Binding minutes of 1860	200 00
Printing and advertising in German paper	550 00
Stationery	70 00
Contingencies	200 00
Total	$7,950 00

Comptroller's Department, 1861.

Salary of Comptroller	$1,500 00
Salary of Deputy Comptroller	800 00
Salary of Book Keeper	700 00
Salary of two Clerks, each $45 per month	1,080 00
Extra clerk hire	600 00
Printing tax sale, $1,50 per page, 1,000 copies, $381, or 1,500 copies	456 00
Blank books and stationery	150 00
Job printing	75 00
Printing annual report	350 00
Advertising	100 00
Contingencies	189 00
Total	$6,000 00

Treasurer's Department, 1861.

Salary of Treasurer	$1,100 00
" " Book Keeper	700 00
" " Extra clerk	600 00
Contingencies for stationary, &c	50 00
Total	$2,450 00

City Surveyor's Department, 1861.

Salary of Surveyor	$ 900 00
" " Assistant	700 00
" " Clerk	500 00
" " Rod man	350 00
" " Axe-man	350 00
Stationery	75 00
Stakes	75 00
Contingencies	50 00
Total	$3,000 00

Assessors' Department, 1861.

Salary of Assessors	$3,550 00
" " Clerk	700 00
Extra clerk hire	300 00
Printing and affidavits	100 00
Blank books and stationery	150 00
Contingencies	100 00
Total	$4,900 00

City Clerk's Department, 1861.

Salary of City Clerk	$ 900 00
" " Deputy	800 00
" " two clerks, at $600 each	1,200 00
Extra clerk hire	300 00
Blank books and stationery	200 00
Printing	75 00
Contingencies	175 00
Total	$3,650 00

Poor Master's Department, 1861.

Salary of Overseer	$ 800 00
" " two clerks, at $400 each	800 00
" " one clerk for eight months, at $300 per year	200 00
Balance of salary due Overseer for 1860	100 00
Contingencies	50 00
Total	$1,950 00

Auditor's Department, 1861.

Salary of Auditor	$ 900 00
Contingencies	100 00
Total	$1,000 00

City Attorney and Legal Expense Department, 1861.

Salary of City Attorney	$1,200 00
" " Assistant	500 00
Traveling expenses, witnesses' fees and general disbursements in suits, &c	200 00
Counsel fees	200 00
Printing and Stationery	100 00
Salary of Justices at Police Stations	600 00
Commissioner's fees for laying out streets	200 00
Paying judgements and costs against the city	2,000 00
Total	$5,000 00

Board of Health Department, 1861.

Salary of Three Health Commissioners at $150 each	450 00
" " Clerk	100 00
" " Health Physician	500 00
" " 2 " Inspectors, each $1 50 per day	1,095 00
" " City Scavenger $300; other employees $105	405 00
Keeping Small Pox Hospital, boarding and nursing patients therein	1,000 00
Printing and Stationery	50 00
Contingencies for medicine, &c	400 00
Total	$4,000 00

Receiver of Taxes Department, 1861.

Salary of Receiver	$1,100 00
" " Assistant	800 00
" " 2 Clerks at $45 ⅌ month each	1,080 00
Extra clerk hire	500 00
Printing and advertising	200 00
Stationery	100 00
Contingencies	120 00
Total	$3,900 00

Street Commissioner's Department, 1861.

Salary of Street Commissioner	$1,200 00
" " 1st Clerk	700 00
" " 2d "	600 00
" " 5 Street Inspectors at $1 25 each ⅌ day	1,956 25

Printing blanks and advertising	150 00
Stationery and blank books	75 00
Tools and hardware	75 00
Carting dirt from paved streets and alleys	3,000 00
Cleaning streets in front of public grounds, &c.	400 00
" " sewers and receivers under platforms.	100 00
Removing snow and obstructions from streets	75 00
" " filth and rubbish from unpaved streets	75 00
Contingencies	93 75
Total	$8,500 00

FIRE DEPARTMENT, 1861.

Salary of Fire Marshall	$ 720 00
" " Chief Engineer and Assistants	585 00
" " two Porters to Department at $350 ea	700 00
" " two Watchmen in Bell Tower at $1 25 each per day	912 50
" " Clerk to Fire Commissioners	50 00
" " two Engineers to S. F. Engines at $45 per month	1,080 00
" " two Engineers to S. F. Engines for nine months	810 00
" " two Firemen at $25 per month	600 00
" " two " " " per month, for 9 months	450 00
" " two Drivers at $25 per month	600 00
" " two " " " per month, for 9 months	450 00
Teams and cartage $200; rent and taxes $300	500 00
Trumpets, lamps, brooms, locks and keys, &c.	300 00
Repairing Gas and Water pipes	100 00
Printing, Stationery and Advertising	50 00
Stoves, pipes, axes, shovels, &c.	150 00
Oil for hose $200; repairing old hose $200	400 00
Repairing apparatus, Engines, Hose Carts, Hook & Ladder wagons	750 00
Lights $600; Fuel $600	1,200 00
Repairing houses	600 00
Two new S. F. Engines each $3,000, ½ amount paid this year	3,000 00
Three span of horses	900 00
Three new barns at $350 each	1,050 00
Three setts harness and repairing	150 00
Four span horses shoeing	125 00
Feed for 2 span horses 1 year $400 and 2 span 9 months $300	700 00
2000 feet new hose	2,100 00
Plumbing for 3 barns	100 00
Putting old Engines in saleable condition	200 00
Repairing Reservoirs	100 00
Contingencies	267 50
Total	$19,700 00
Deficiency in fund of 1860 for unpaid bills	500 00
	$20,200 00

POLICE DEPARTMENT, 1861.

Salary of Chief of Police	$ 1,000 00
" " Clerk	600 00
" " 4 Captains at $500 each	2,000 00
" " 60 Policemen, 56 at $400, and 4 at $500 each	24,400 00
Constables Fees	600 00
Rent of Office and Station Houses	600 00
Fuel and Light	400 00
Sawing Wood	50 00
Cleaning and Repairing Station Houses	400 00
Stars and Clubs	25 00
Printing and Stationery	40 00
Contingencies	85 00
Total	$30,200 00

CITY HALL AND PORTER'S DEPARTMENT, 1861.

Salary of two Porters, @ $350 each	$ 700 00
Fuel and light for City Hall and Mayor's office	650 00
Ice " " " " "	30 00
Insurance on " " " " "	75 00
Repairs of offices, office furniture, gas and water pipes, &c.	300 00
Contingencies	145 00
Total	$1,900 00

PUBLIC GROUND DEPARTMENT, 1861.

Salaries of Keepers of Parks "Court House" and "Johnson"	$ 415 00
Local assessments	200 00
Repairing fences and making new	300 00
Improving Franklin Square	300 00
Contingencies	35 00
Total	$1,250 00

HARBOR MASTER'S DEPARTMENT, 1861.

Salary of two Harbor Masters, at $500 each	$1,000 00
Contingencies	200 00
Total	$1,200 00

SUPERIOR COURT DEPARTMENT, 1861.

Salary of three Judges, at $3,000 each	$9,000 00
" " Crier	350 00
Blank books	150 00
Total	$9,500 00

LAMP DEPARTMENT, 1861.

For one-half of gas consumed	$18,964 00
" " " Lighting and cleaning lamps.	2,586 00
For one-half of Contingent repairs	450 00
Total	$22,000 00

HYDRANT AND WATER DEPARTMENT, 1861.

For one-half expense of supplying hydrants	$10,000 00
" " " " repairing "	250 00
" " of interest on cost of extension of street mains	2,650 00
Total	$12,900 00

MARKET DEPARTMENT, 1861.

Salary of Clerk of Markets	$750 00
" " Porter to Elk Street Market	400 00
" " " " Washington "	400 00
" " " " Clinton "	300 00
" " " " Niagara "	300 00
Lights, fuel and market implements	200 00
Cleaning markets and streets in front	100 00
Repairs	100 00
Local assessments	100 00
Contingencies	350 00
Total	$3,000 00

ELECTION EXPENSE DEPARTMENT, 1861.

For pay to Inspectors and Poll Clerks	$1,000 00
" use of rooms for elections	300 00
" new ballot boxes, and repairs	50 00
" Stationery	100 00
" printing and advertising	100 00
Contingencies	50 00
Total	$1,600 00

FOURTH OF JULY, &c., 1861.

For celebrating 4th of July, and reception of public functionaries	$1,000 00

DREDGING BUFFALO HARBOR, 1861.

For dredging Buffalo Harbor, outside N. pier.	$1,000 00

PRINCIPAL TO BE PAID ON FUNDED DEBT FOR 18 MONTHS FROM APRIL 1st, 1861.

Due April 20th, 1861, on bonds issued Oct. 20th, 1852	$11,000 00
" June 1st, 1861, on bonds issued June 1st, 1852	15,000 00
" June 1st, 1861, on bonds issued June 1st, 1854	11,000 00
" June 1st, 1862, on bonds issued June 1st, 1852	15,000 00
" June 1st, 1862, on bonds issued June 1st, 1854	11,000 00
" Jan'y 2d, 1862, on bonds issued Jan'y 2d, 1857	1,000 00
Total	$64,000 00
Less amount already provided from April 1st to Oct. 1st, 1861	26,000 00
	$38,000 00

INTEREST TO BE PAID ON FUNDED DEBT FOR EIGHTEEN MONTHS, FROM APRIL 1ST, 1861.

Due on	$8,000	bonds, issued	Oct. 1, 1851....	$840 00
"	30,000	" "	June 1, 1852....	1,800 00
"	150,000	" "	July 1, "	15,750 00
"	11,000	" "	Oct. 20, "	385 00
"	85,000	" "	May 1, 1853....	8,100 00
"	32,000	" "	Aug. 1, "	2,880 00
"	10,000	" "	Dec. 1, "	900 00
"	35,000	" "	Dec. 27, "	3,765 00
"	67,000	" "	Dec. 31, "	6,030 00
"	44,000	" "	June 1, 1854....	3,300 00
"	1,000	" "	Jan. 2, 1857....	60 00
"	62,000	" "	Feb. 2, "	6,510 00
"	20,000	" "	Aug. 2, "	2,100 00
"	18,000	" "	June 1, 1859....	1,620 00
Premium on drafts, ¼ per cent., D. S. & Co.				
Commission ¼ per cent.....				430 52
				$54,720 52
Less amount already provided from April 1st to Oct. 1st, 1861.....				16,512 57
Total.....				$38,007 95

SCHOOL DEPARTMENT, 1861.

Salary of 21 Principals of graded schools at $800 each,.....	$16,800 00
Salary of 2 Principals, in Nos. 9 and 33, at $600 each,.....	1,200 00
Salary of 2 Principals, in Nos. 27 and 28, at $450 each,.....	900 00
Salary of 8 Principals of 1st departments, at $325 each,.....	2,600 00
Salary of 37 female Principals of departments, at $325 each,.....	12,025 00
Salary of 125 female Assistants, for one year, at $250 each,.....	31,250 00
Salary of 1 male Principal of Central School	1,000 00
Salary of 4 lady Assistants of Central School, at $350 each.....	1,400 00
Salary of Superintendent,.....	1,200 00
Salary of Clerk for Superintendent,.....	500 00
1000 cords wood, and sawing, at $4 per cord,..	4,000 00
Sweeping and cleaning school houses,.....	1,750 00
Ordinary repairs and maintenance	2,000 00
Insurance Central School $37 50, Vine Street $19 50,.....	57 00
Amount to Orphan Asylum,.....	100 00
Printing, stationery and contingencies,.....	1,000 00
Salary of 1 male Assistant, of Central School,	800 00
Deficiency in fund of 1859, for interest on orders, &c,.....	1,810 00
	$80,392 00
Less amount received from State....	$24,652 13
	$55,739 87

INTEREST ON ORDERS, 1861.

Estimated amount to pay interest on General Fund orders,.....	$1,000 00

ERRONEOUS TAX DEPARTMENT, 1861.

For Erroneous taxes,.....	$200 00

Referred to the Committee of the Whole, and ordered rinted.

FROM THE CITY ATTORNEY.

To the Hon. the Common Council of the City of Buffalo:—

GENTLEMEN,—I hereby report that in the suit of John W. Clark against the City of Buffalo, it will be necessary for me to procure the attendance of a witness from the City of New York, and also of other witnesses from this city. I respectfully ask that an order be drawn in my favor on the General Fund, City Attorney and Legal Expense Department, for $40, with which to pay the fees of said witnesses.

GEORGE WADSWORTH,
City Attorney.

—Filed and order directed to be drawn, and Attorney directed to report disposition of money.

FROM THE SUPERINTENDENT OF SCHOOLS.

To the Honorable the Common Council of the City of Buffalo:

GENTLEMEN,—I herewith renew my recommendation for the purchase of a book-case for the library of District No. 4. Said book-case would be 9 feet by 7 feet in size, constructed after the pattern of that now in use, and should not cost over fifty dollars.

SANFORD B. HUNT,
Superintendent of Schools.

—Referred to Committee on Schools.

FROM THE FIRE MARSHAL.

GENTLEMEN:—I have appointed Loomis Lyman and Andrew Voht as Porters, and respectfully ask your Honorable Body to confirm the same.

D. KISSOCK, Fire Marshal.

Filed and nominations confirmed.

FROM THE RECEIVER OF TAXES.

I have re-appointed Gordon Bailey as assistant, W. C. Zimmerman and Louis Bergtold as clerks in my office, for the present year. I respectfully ask confirmation of the same.

MICHAEL WIEDRICH,
Receiver of Taxes.

Filed and subject matter referred to Committee on Finance.

The City Clerk reported that the following named assessment rolls had remained on file in his office more than ten days, since the first publication of a notice in the city paper, that the same were so filed, and that persons interested might file applications for the correction of the same, and that no such applications had been filed with him, viz:

No.	Amount ordered by Common Council.	Amount added by Assessors.	Total amount of Assessment.
2292—For constructing a receiving sewer from a point on the east side of Niagara street, opposite the centre line of Sloan street across Niagara street, and through the centre of Sloan street to the Erie Canal.....	$200 00	5 00	205 00
2299—For repairing the bridge across the ditch at the easterly termination of the Main and Hamburgh Street Canal, on Hamburgh street.....	31 30	1 70	33 00
2300—For repairing bridge across Scajaquada Creek, on Delaware street.....	45 40	1 60	47 00
2301—For repairing that portion of the crosswalk across Main st., (extending from the west side of Main street to the northeast corner of Perry and Main sts.) between the Main Street Railroad track and the west side of Main street.....	29 83	1 17	31 00
2302—For repairing a crosswalk across Dayton street, on the west side of Main street.....	29 80	1 20	31 00

2303—For constructing a plank crosswalk across Virginia street, on the southwesterly side of Palmer street.....	7 96	1 04	9 00
2304—For constructing a crosswalk across Amherst street, on the westerly side of Niagara street.....	9 88	1 12	11 00
2305—For constructing a crosswalk across Bridge street, on the westerly side of Niagara street.....	9 24	0 76	10 00
2306—For constructing a crosswalk across South street, on the easterly side of Niagara street.....	10 60	1 40	12 00
2307—For constructing a crosswalk across Amherst street, on the easterly side of Niagara street.....	9 96	1 04	11 00
2308—For constructing a crosswalk across Parish street, on the easterly side of Niagara street.....	11 08	0 92	12 00
2309—For constructing a crosswalk across Tonawanda street, on the easterly side of Niagara street.....	11 40	1 10	12 50
2310—For constructing a crosswalk across North Washington street, on the North side of Bird Avenue.....	5 50	1 00	6 50
2311—For constructing a crosswalk across DeWitt street, on the north side of Bird Avenue.	7 20	0 80	8 00
2312—For constructing a crosswalk across Amherst street, on the east side of Dearborn street.....	8 04	0 96	9 00
2313—For constructing a receiver on the easterly side of Niagara Street, to conduct the water from said street into a sluice at the Railroad Bridge.....	16 23	0 77	17 00
2314—For constructing a receiver on the westerly side of Niagara street, to conduct the water from said street into a sluice at the railroad bridge.....	13 87	1 13	15 00
2315—For repairing sewer and receiver in the alley running South from Seneca street, between Washington and Main streets.....	9 75	0 75	10 50
2316—For repairing the sidewalk on the north side of South Division street, between Jefferson and Grosvenor streets....	47 92	1 58	49 50
2317—For constructing a sidewalk on the southerly side of Ferry between Niagara street and the Erie Canal.....	56 25	1 25	57 50
2318—For constructing a sidewalk on the westerly side of Niagara street, between Parish and Bridge streets.....	23 44	1 06	*24 50
2319—For constructing a sidewalk on the easterly side of Niagara street, between Amherst and Parish streets.....	54 40	1 60	56 00
2320—For constructing a sidewalk on the easterly side of Niagara street, between the southerly line of Porter square and South street.....	10 56	0 94	11 50
2321—For constructing a sidewalk on the easterly side of Niagara street, between South and Tonawanda streets.....	53 20	1 20	54 50
2322—For repairing the sidewalk on the easterly side of Niagara street, between the northerly curb line of Amherst street and the southerly curb line of Hamilton street.....	11 00	1 00	12 00
2323—For repairing the sidewalk on the northerly side of Genesee street, between Jefferson and Carlton streets.....	12 17	0 83	13 00
2324—For repairing a sidewalk on the northerly side of Exchange street, from Louisiana to Van Rensselaer street.....	46 20	1 80	48 00
2325—For reconstructing a sidewalk on the easterly side of Washington street, between Genesee and Chippewa streets	16 32	0 68	17 00
2326—For repairing a sidewalk on the westerly side of Canal street, between Lloyd street and Prime Slip Bridge.....	10 20	0 80	11 00
2327—For repairing a sidewalk, on the easterly side of Peacock street, between Norton and Evans streets.....	6 88	0 62	7 50
2328—For repairing the sidewalk, on the easterly side of Main street, between Scott street and southerly line of Canal street, extended across Main street.....	29 03	0 97	30 00
2329—For repairing and improving Main street, between the curbing on the southerly side of Court street, and a point 200 feet southerly from Court street, by raising the gutter on the westerly side of Main street, from the curbing aforesaid to the main entrance of American Hotel.....	59 75	1 25	61 00
2330—For opening and making Fifth street, from Connecticut street to Vermont street.....	65 00	2 00	67 00
2332—For constructing a stone culvert across Niagara street, at the Railroad Bridge, for the purpose of passing the water from said Niagara street into Scajaquada Creek.....	174 00	2 00	176 00
2333—For repairing and maintaining the public well and pump, No. 124, located at the corner of Mulberry and Godell stre's.	20 00	1 00	21 00
2334—For repairing and maintaining public well and pump, No. 61, located at the corner of Morgan and Chippewa streets	15 00	1 00	16 00
2335—For repairing and maintaining the public well and pump, No. 113, located at the corner of Pine and Swan streets....	25 00	1 50	26 50
2336—For supply of water to the inhabitants of the Parish tract, and for water rents.....	Tax		
Water rents—$980 80.....	1000 00	5 00	1985 80

The following communication was received :—

To the Hon. the Common Council of the City of Buffalo :

I hereby report that I have examined the proceedings of your honorable body in regard to Assessment Roll No. 2292, and also Nos 2299 to 2336, both inclusive.

I am of the opinion that Roll No. 2317 is illegal; this Roll is for constructing a sidewalk on the southerly side of Ferry street, between Niagara street and the Erie Canal; on the 4th of June, 1860, your honorable body ordered the sidewalk on the southerly side of Ferry street graded between the westerly curb line of Niagara street and the Railroad bridge; on the 14th of August, 1860, you ordered a sidewalk to be constructed on the southerly side of Ferry street from Niagara street and the Erie Canal, by laying down the plank. It will be noticed that the *termini* of the two works ordered are different; I think they are two separate works. On the 22d day of Octo-

ber, 1860, the Street Commissioner reported both works completed, the grading at a cost of $48 25, the plank work at a cost of $8—making in all $56 25. On the 12th of November your honorable body ordered an assessment for said sum of $56 25 to pay the expense of both works. This I think you had no power to do, but that you should order a separate assessment for each improvement.

I further report that I am not satisfied of the legality of Rolls Nos. 2292, 2321, 2330 and 2332, and desire to give them further examination.

I am of opinion that your proceedings on the remainder of said Assessment Rolls have been regular, and that said Rolls are valid.

GEORGE WADSWORTH,
City Attorney.

—Filed.

Whereupon Ald. Howard moved that the several rolls reported by the Clerk, except rolls Nos. 2317, 2292, 2321, 2330, and 2332, be confirmed. Carried.

Ald. Howard moved that rolls Nos. 2317, 2292, 2321, 2330, and 2332, be referred back to the City Assessors for reconsideration. Carried.

The City Clerk also reported that the following named assessment roll had remained on file in his office more than ten days since the first publication of a notice in the city paper that the same was so filed, and that Erastus W. Clark had filed an application for the correction of the same, viz:

No. 2331—For repairing Perry street, from Hamburgh street to a point 300 feet easterly therefrom—amount, $31 00.

Ald. Howard moved that the time for the consideration of said roll and of the objections thereto be fixed for two weeks from to-day. Carried.

Assessment roll No. 2289, for repairing Linwood avenue between Utica and Bryant streets, amount $42; the time for the consideration of which, and of the objections thereto, had been postponed until to-day, was taken up, and opportunity given to parties interested to be heard, and no person appearing Ald. Howard moved that said roll be confirmed. Carried.

PETITIONS.

Of Leonard Wilson, to have tax sale of lot on northeasterly side of Palmer street discharged from tax sale.

Of Patrick Smith, to have sundry tax sales discharged of record.

Of Henry J. Warren and others, to be relieved from tax.

Of John F. Stafford, for payment of sundry local fund orders.

Of same, to have error of Finance Committee corrected. Referred to Committee on Finance.

Of residents of the north portion of Buffalo, in relation to the running of the cars of the Main Street Railroad, from Cold Springs to Scajaquada Creek. Referred to Committee on Streets.

Of Engine Co. No. 9, for an appropriation to repair floor of Engine House.

Of Bernard Murphy to have Fireman's Register corrected. Referred to Committee on Fire.

Of Wm. Schick, to be appointed keeper of Potters Field. Referred to Committee on Public Grounds.

Of John A. Beiz, for a butcher's license at the corner of Perry and Alabama streets.

Of S. King, for a license to sell fresh meat at southwest corner of Sixth and Carolina streets. Referred to Committe on License.

Of O. Kirkover, for fireman's certificate.

Of Gottfried Schultz, for same. Referred to City Clerk with power.

Of sundry persons, for the release of Henry Halpen from the Erie County Penitentiary.

Ald. Hannovan moved that the prayer of the said petition be granted. Carried. Ayes, 18; Noes, 6.

Of Silas Hemingway, for a grant and license for a steam ferry across Niagara River, from the foot of Erie street or other streets in the city of Buffalo.

Ald. Dorr offered a resolution that the prayer of the petition be granted.

Ald. Howell moved to refer the same to the Committee on New Territory.

Ald. Felton was called to the chair.

Ald. Pratt moved as an amendment to the motion of Ald. Howell, that the same be referred to the Committee on Wharves, Harbors and Ferries.

Amendment accepted.

The President resumed the chair.

The motion of Ald. Howell, as amended, was then carried.

REMONSTRANCES.

Of E. B. Smith and others, against permission being granted to remove wooden building on Ohio street. Referred to Committee on Fire.

ACCOUNTS REFERRED.

P. G. Lorenz, for sundries for Fire Department. Referrd to Committee on Fire.

L. L. Trowbridge, for services in Receiver's office.

John B. Weber for same.

Christian Bronner, Jr., for same.

Fritz Gerger, for same.

George Wiedrich, for same.

John W. A. Meyer, for same.

William Ashman, for same. Referred to Committee on Claims.

C. Ball, for coal for Police Department.

Frank Cist, for sawing wood for Police Department. Referred to Committee on Police.

E. Bachelder, for services as Porter at Niagara Market.

C. Bauer, for same at Clinton Market. Referred to Committee on Markets.

Otis F. Presbrey, for repairing City Clerk's Office. Referred to Committee on Public Grounds.

Buffalo Gas Light Co., for gas for public lamps for January, 1861.

Charles Groben, for lighting public lamps in January, 1861. Referred to Committee on Public Lamps.

REPORTS OF COMMITTEES.

Ald. Howard, from the Committee on Finance, reported in favor of the adoption of the following resolutions:

That upon filing the petition of Elizabeth Read, with the accompanying proofs, with the Comptroller, in which said Read asks for a declaration of sale on scrip No. 1474, of sale of March 18, 1856, of lot on the north side of Court street, commencing 58 feet west of Morgan

street, being 22 80 100 feet front by 111 feet deep, the said Comptroller execute and deliver to said Read a declaration of sale thereon, in the form prescribed by the Charter. Adopted.

That upon filing the petition of Myron H. Clark and Jasper C. Clark, with the accompanying proofs, with the Comptroller, and the execution by the petitioners of a bond with satisfactory sureties, conditioned to indemnify the City against all damage or costs, or claim for such damage or costs, by reason of the cancelling of the tax sales hereinafter mentioned, or either of said sales, the said Comptroller be and he is hereby directed to cancel of record the following described tax sales, viz: Sale of January, 1854, of lot on south side of Chippewa street, southeast corner of Pearl street, being 60 by 72 feet, to the City of Buffalo (and assigned to S. G. Bailey) for $8 91; sale of October, 1854, of same lot, to same party (and assigned to same party) as above, for $4 75. Adopted.

That the Comptroller be directed to publish notice in the city paper and in the Buffalo *Telegraph*, that all tax payers whose lands have been sold to the city, where the certificates of such sales are held and ownod by the city. may redeem their lands, so sold, by paying into the city treasury at any time within four months from the first day of February, 1861, the amount for which such lands were sold, and interest thereon, at 7 per cent., and all expenses incurred by the city in relation thereto and properly chargeable thereon; provided that any and every tax payer, desiring so to redeem his lands, shall pay all the tax roles which the city shall hold on any such lands, and that on all tax sales held by the city which shall remain unredeemed at the end of four months, the said Comptroller be directed to add one per cent. interest in addition to said 7 per cent. for every month therafter, until the amount of interest to be charged thereon shall reach 10 per cent.

That the Comptroller be and he is hereby authorized to sell to any person who shall be willing to take the same, and to the city reassure the amount of such sale and interest at 10 per cent., and the expenses incurred by the city, all tax sales which shall remain unredeemed for one month after such rate of interest shall reach 10 per cent., provided any person desiring to make such purchase shall take all sales and declarations of sale which the city shall hold on any particular lot.

That the authority conferred upon the Comptroller to allow redemptions from tax sales held by the city, shall also extend to a sale of any declaration of sale which the city may hold on any lots, but that the assignee in addition to the expenses already incurred by the city, the Comptroller be directed to charge fifty cents for the assignment and the expense of the acknowledgment thereof. Adopted.

Also, in favor of allowing the following accounts, and of drawing order for same:

Edwin Thayer, for services in suit of Thomas Dolan against the city—$159 50.

Same, for services in suit of Laura C. Lathrop against the city—$164. Adopted.

Ald. Wheeler, from the Committee on Schools, reported in favor of allowing the following accounts, and of drawing orders for same, viz:

Wm. Savil, for repairs at school house No. 28—$3 50.

W. Emmons, for repairs at sundry school houses—$8 14.

Valentine Bibus, for sawing wood for schools—$173 50.

Jay Pettibone, for wood for Schools, allowed at $29 25. Adopted.

Ald. Brush, from the Committee on Sewers, reported in favor of drawing an order for $260, in favor of Henry Harter, Jr., to apply on his contract for constructing a sewer in the southerly side of Batavia street, from sewer in Emslie street to within 25 feet of Jefferson street. Adopted.

Also, in favor of allowing the account of Churchyard & Benzinger, for constructing a receiver in the Emslie street sewer, between Seneca and North Canal streets—amount $46 60, and of drawing an order for same. Adopted.

Ald. Yaw, from the Committee on Fire, reported in favor of allowing the following accounts and drawing orders for same, viz:

Harry Hersee, for furniture for Fire Department—$8 50.

A. P. Yaw & Son, for brooms, &c.—$5 18.

Wm. R. Deacon, for services as fireman of new steam fire engine—$12 50.

Loomis Lyman, for sundries—$2 25.

Geo. L. Burns, for ladders broken by firemen at burning of Adams & Co.'s store—$10 00.

Jacob Gerlach, for painting (to apply on account)—$17 76.

Thos. B. French, for repairs (to apply on account)—$17 13. Adopted.

Also, in favor of referring the petition of Bernard Hughes, asking to have the Firemen's Register corrected, to the City Clerk, with power. Adopted.

Ald. Mills, from the Committee on Police, reported relative to petiton of S. W. Bagnall to be appointed constable of the 10th Ward, and offered the following resolution:

That the Common Council do now proceed to ballot for constable of the 10th Ward, to fill the vacancy occasioned by the resignation of Godfrey Sacker. Carried.

The Common Council then proceeded to ballot for constable of the 10th Ward, and on such balloting

Samuel W. Bagnall received	.....	20	votes.
Thomas Foster "	.....	1	"
Blank "	.....	2	"

and the said Samuel W. Bagnall was declared to be duly appointed constable of the 10th Ward in place of Godfrey Sacker resigned.

Ald. Storck, from the Committee on Markets, reported in favor of allowing the following accounts and of drawing orders for the same:—

Case & Co., for stove-pipe for Markets—$2 90.

Buffalo Gas Light Co., for removing meter, &c., at Elk Street Market—$6 80. Adopted.

Ald. Jones, from the Committee on License, reported in favor of granting a license to William T. Barnes, to sell fresh meat at shop on corner of Carolina and Seventh streets. Lost for want of a two third vote Ayes, 15; Noes, 7.

Ald. Crowder, from the Committee on New Territory, reported in favor of the adoption of the following resolution:—

That the City Surveyor be directed to report a plan and estimate for the repairs necessary to be made to the bridge across Cazenovia creek on Cazenovia road. Adopted.

Ald. Howard moved that the order of business, 'Committee of the Whole," be laid on the table for the present. Carried unanimously.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Mills—That the Mayor of the City be requested to see that the present City Ordinances on the subject of the sale of wood, hay and other merchandise in other places than the public markets, to the annoyance of the public or obstruction of the streets and highways, are rigidly enforced. Adopted.

By Ald. Felton—That a Committee of three Aldermen, together with the City Attorney and City Clerk, be appointed for the purpose of revising the city ordinances, and reporting same to the Council for re-enactment.

Ald. Howard moved that the several chapters of the ordinances be referred to the appropriate committees.

Ald. Beckwith moved as an amendment to the motion of Ald. Howard, that the chapters of the ordinances relating to the several departments, be referred to the appropriate committees, and that the balance of the ordinances be referred to the special committee proposed to be appointed by the resolution. Amendment accepted.

The motion of Ald Howard, as amended, was then carried.

The said resolution, as amended, was then adopted.

Ald. Felton, Yaw and Howard were appointed as such Committee.

By Ald. Howell—That the Street Commissioner advertise for proposals to cart away the dirt, &c., from the streets. Referred to Committee on Streets.

Ald. Howard offered the following:

To the Legislature of the State of New York:

The undersigned respectfully petition your honorable body that the Twenty-second day of February, the Anniversary of the birth of the immortal Washington, the Father of his Country, be declared and enacted as one of the public holidays, to be observed by the inhabitants of this State, and that all the legal enactments of this State in relation to other holidays now observed, be made operative as regards the observance of the *Twenty-second day of February.*

Resolved, As the sense of the Common Council of the City of Buffalo, that the Honorable Legislature of the State of New York, be requested to pass a law in accordance with the foregoing petition, and the City Clerk furnish to the Senator from this district, and the members of the House of Assembly from this city, with a certified copy of such petition and this resolution. Adopted.

By Ald. Goembel—That the Committee on Fire is hereby requested to report to this Council, at its next session, on the petition relating to changing the locality of Engine House No. 12. Adopted.

By Ald. Yaw—That the Fire Marshal and Fire Committee be authorized to purchase a set of harness for the horses to be bought for the Steam Engine bought of Shepard & Co., at an expense not exceeding fifty dollars.—Adopted.

By Ald. Walsh—That the Committee on Water be directed to report at the next meeting of this Council in regard to resolution offered by Ald. Felton, of Special Election to be held in 12th Ward for Alderman.

Ald. Howard moved to lay said resolution on the table. Lost. Ayes, 4; Noes, 16.

The said resolution was then adopted. Ayes, 12; Noes, 10.

By Ald. Walsh—That the sidewalk on the north side of Fulton street, between Ohio Basin Slip and Chicago street, be repaired. Referred to Committee on Side and Cross Walks.

By Ald. Howell—That the several market grounds of the city be and they are hereby designated as stands for the sale of wood. Adopted.

By Ald. Swartz—That Lorenz Gillig be appointed Commissioner of Deeds. Referred to Committee on Schools.

By Ald. Mills—That a standard list of books be established for use in the public schools. Referred to Committee on Schools.

By Ald. Storck—That an order for $200 be drawn in favor of C. Boorom, for use of horse and buggy in 1860. Referred to Committee on Markets.

By Ald. Howard—

Whereas, The President elect of these United States is soon to leave his residence in Springfield, Illinois, for the seat of Government at Washington; and

Whereas, It is fitting and proper at all times that the people of this country should desire to testify their respect and attachment to their government by proper demonstrations of respect to the incumbent of the Chief Executive office of their National Government; and

Whereas, The circumstances recently transpiring in the country, and its present condition, make it at this time especially the desire of the people of this city to have an opportunity of testifying their respect to Mr. Lincoln, as the choice of the people for that high office, and their devotion and loyalty to the Union and the Government over which he is so soon to preside; therefore—

Resolved, That His Honor the Mayor be requested to extend to Mr. Lincoln, the President elect of these United States, a respectful invitation to pass through Buffalo, on his way to Washington, and to make such stay in our city as he may be able, and to tender to him, during such stay, the hospitalities of the city.

Resolved, Also, in anticipation of his accepting such invitation, that a committee of five members of this Council be appointed to unite with the Mayor, and any Committee which may be appointed on the part of the citizens, in making proper and suitable arrangements for such reception; and that the president of this Council be one of said Committee.

Ald. Beckwith moved that the third paragraph contained in the preamble of the preamble and resolutions offered by Ald. Howard, be stricken out. Lost. Ayes, 8; Noes, 15.

The preamble and resolutions, offered by Ald. Howard, were then adopted. Ayes, 18; Noes, 5.

Ald. Howard, Beckwith, Dorr, Yaw & Storck were appointed as the Special Committee on reception of the President elect.

By Ald. Howard—That the heads of the several Departments be and they are hereby authorized to obtain for the use of their departments, the official city paper for the year 1861, and that the City Clerk be authorized to furnish, or direct to be furnished, each member of the Council one copy of said paper for the year 1861, and and that the Editors of city paper present to this Council their account for the city paper furnished to members of the Council for the year 1860, and that the Auditor be allowed to audit the same.

Ald. Howell moved to lay the same on the table. Lost. And the said resolution was then adopted. Ayes, 15; Noes, 8.

By Ald. Swartz—That the City Clerk be, and he is hereby authorized to obtain a book, and index, to be entitled "Street Railroad Records of the City of Buffalo," to be held in his office, in engrossing all the acts and Legislative enactment, in regard to the railroad franchises granted by this Council. Adopted.

Ald. Howard moved that when this Council adjourns it adjourn to meet at one minute past 7 o'clock this evening. Lost.

Ald. Walsh moved that when this Council adjourns, it adjourn until half past 7 o'clock this evening. Carried.

Ald. Howell moved that the Council do now adjourn. Carried.

The Common Council then adjourned to meet this Monday evening, January 28th, 1861, at ½ past 7 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 5.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Feb. 4, 1861,
at 2 o'clock, P. M.

Present.—Asaph S. Bemis Esq., President of the Council, and Aldermen Allen, Crowder, Felton, Goembel, Grass, Howard, Jones, Mills, Palmer, Pratt, Russell, Rutter, Savage, Scheu, Schwartz, Storck, Walsh, Wheeler, and Yaw.

Absent—Aldermen Adams, Beckwith, Brush, Dorr, Hanovan, and Howell.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM THE MAYOR.

Gentlemen,—I return without my approval, the resolution passed by your hon. body on the 21st ult, directing an order to be drawn in favor of William Riggs, for Fifteen Dollars, seven cents, pay as Policeman for December 1860.

The objection to this resolution is, that Mr. Riggs performed no duty during the month of December, he being sick, and that he has been allowed, previous to this order being drawn, all that he was considered entitled to, such allowance being a liberal one under the circumstances. The precedent established by your resolution is one which would have the tendency to cause frequent applications for relief, from the members of the Police, and a bad effect on the efficiency of that Department.

Very Respectfully,
F. A. ALBERGER, Mayor.

Filed and subject matter referred to Committee on Police.

FURTHER FROM THE MAYOR.

GENTLEMEN: I return, without my approval, the following resolutions, adopted at your last session:

One directing an order to be drawn in favor of Churchyard & Bensinger, for $46 60, on fund for constructing sewer in Emslie, Seneca, and Van Rensselaer streets.

One directing an order to be drawn in favor of George L. Burns, on fund for Fire Department for 1860.

The objection to the first resolution is that when the assessment was made for the sewer in Emslie street the work to be paid for was not contemplated in such assessment, and it would therefore be improper to draw an order for new work on that fund.

The objection to the second resolution is, that there is no authority to draw an order on the fund of 1860 for work or material furnished in 1861.

Very Respectfully,
F. A. ALBERGER, Mayor.

Filed and so much thereof as relates to order for Churchyard & Benzinger referred to Committee on Sewers and balance referred to Committee on Fire.

FURTHER FROM THE MAYOR.

Gentlemen,—I return without my approval so much of the resolution passed by you at your last session, as authorizes the City Clerk to cause the "official city paper" to be furnished to each member of the Common Council.

The objection to this resolution is, that I find no authority for the Council, by resolution or otherwise, (by a valuable gift) to increase their salaries during their term of office.

If they have authority to vote themselves, by resolution, the "official paper," the same authority would allow them carriage hire or any other convenience, for each individual member, that they might think proper or necessary. With this construction of the Charter I cannot agree, believing that such construction would be dangerous as a precedent, and leading to unusual expenditures which should be avoided.

Respectfully,
F. A. ALBERGER, Mayor.

Filed and subject matter referred to Committee on Claims.

FURTHER FROM THE MAYOR.

Gentlemen—I have been served with a summons to appear before Charles T. Shattuck, Esq., on the 6th inst., at 2 o'clock P. M., wherein Richard Hornbuckle is plaintiff and the city of Buffalo is defendant.

Respectfully submitted,
F. A. ALBERGER, Mayor.

Filed, and the City Attorney directed to defend, if deemed advisable.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

Gentlemen—H. Monlun of the City of New York, holds $2,000 six per cent. Buffalo city bonds, issued June 1, 1852, due June 1, 1861, which he offers to give up on receiving the principal, thus abating the interest that has accrued since December 1, 1860. I think the proposition should be accepted, and I would recommend that an order be drawn in my favor, payable out of the General Fund for 1860, upon the estimates for the payment of the principal on the funded debt, for $2,010 02, with which to pay the same.

Principal	$2,000 00
Commission to Duncan, Sherman & Co. ¼ per c.	5 00
Premium on draft	5 02
Total as above	$2,010 02

ALONZO TANNER, Comptroller.

Filed, and orders directed to be drawn as recommended.

FURTHER FROM THE COMPTROLLER.

GENTLEMEN: I have re-appointed James F. Chard as Deputy Comptroller, James Inglis book-keeper and William H. Slade clerk in this office, and I respectfully ask that these appointments be confirmed. The position occupied by M. Danner, Jr., during the past year, was vacated by him on the 11th ultimo without notice to me, and I have not yet permanently filled the same. As we are now and have been since the 20th ult., copying the returned taxes as provided by the Charter, and the business of the office being also materially increased in making bills for taxes, &c., I have employed for the present exigency Mr. Lewis Trowbridge and Henry Tanner, Jr. Mr. Trowbridge having been employed since the 21st ult. and Mr. Tanner since the 1st inst. I would ask that my action in the premises be approved by your honorable body.

ALONZO TANNER, Comptroller.

Ald. Howard moved that said communication be received and filed, and that the nomination of William H. H. Slade and James Inglis be confirmed, and that the subject matter of the balance of said communication be laid on the table. Carried.

FROM THE CITY ATTORNEY.

I hereby report that an action has been commenced against the city by Elizabeth Read, to recover the amount due upon 17 local orders. I have examined into the condition of the several funds upon which said orders are drawn, and have ascertained the following facts: four of said orders, one of which is dated October 2d, 1854, the other three of which are dated Sept. 18, 1854, are drawn on the fund "for abating nuisance east side of Chicago street, south corner of Mackinaw street; said orders are for $37 50, $4 00, $14 00 and $19 25 respectively. The Treasurer books show a debtor balance to this fund of 8 cents. I am informed that the city holds scrip on account of this fund to the amount of $226 52, which is probably worthless, for the reason that the land is erroneously described,

Three of said orders, drawn for $46 87, $16 18, and $2 25 respectively, one of which is dated February 21, 1853, and the other two February 14, 1853, are drawn on the fund "for filling Fir street, between Carolina street and Johnson and Park Places." This fund is not good for the reason that the city holds scrip on account thereof to the amount of $141 78, the money for which has not been paid into the City Treasury.

Three of said orders all dated Nov. 6, 1854, for $16 00, $50 00 and $30 00 respectively, are drawn on the fund "for sewer in Goodell alley from Tupper to Goodell street." This fund is not good for the reason that $96 56 of the assessment has been remitted.

One order for $25 00, dated October 16, 1854, is drawn on the fund "for work on well corner of Pennsylvania and Niagara streets." $24 50 of this assessment remains uncollected, the scrip being owned by the city and the fund is good for $2 11 only.

Six of said orders are dated September 12, 1853, and are drawn on the fund "for abating nuisance, on the south side of Exchange street, 440¾ feet front, 300 feet west of Michigan street, for $3 06, $1 31, 88c., 44c., 88c., and $2 50 respectively.

This fund is deficient, because the Council on the 12th of December, 1858, remitted $15 of the assessment. I am of opinion that there is no valid defence to this action, and therefore recommend that your Hon. Body provide some way for the payment of these various orders.

GEORGE WADSWORTH,
City Attorney.

Referred to Committee on Finance.

FURTHER FROM THE CITY ATTORNEY.

I hereby report that by an order this day made by the Superior Court of Buffalo, Hiram Barton, William W. Mann, and Fayette Ramsay were appointed Commissioners in the matter of extending Katharine street.

Respectfully submitted,
GEORGE WADSWORTH,
City Attorney.

Received and placed on file.

FROM THE STREET COMMISSIONER.

GENTLEMEN:—Believing that you have been misinformed in relation to the amount of labor necessary to conduct the business of this Department, I deem it a duty to you, the public and to myself as its head, to say that from three years experience, I am satisfied that the duties cannot be well performed with less than two clerks or assistants. The business of this department, like other departments of the city government, is constantly increasing as improvements extend out from the centre, and as the population increases; and what could be done six years ago with ease requires extra exertion at the present time; and while the number of employees in the other departments have been greatly increased, the business in this is done with the same assistants; therefore I respectfully ask that so much of the proceedings of your honorable body as provides for only one clerk in this office, may be reconsidered and two allowed as heretofore.

L. J. WATERS, Street Commissioner.

Referred to Committee on Streets.

FURTHER FROM THE STREET COMMISSIONER.

GENTLEMEN—On the 21st day of November, 1859, the Common Council ordered a public well constructed at the corner of Michigan and Carlton streets, at an expense not exceeding $100. The work has progressed under many difficulties, by reason of quicksand. It is now excavated and tubed to the rock, without obtaining the necessary amount of water, and the amount limited in the order is expended; therefore it will be necessary for further action of your honorable body before the well can be completed. The total expense, including pump and fixtures, will probably exceed $200, making it necessary to publish a notice that the Council intends to order the work; and the undersigned respectfully recommends that such action be had as will complete the work at as early a day as possible.

L. J. WATERS, Street Commissioner.

Referred to Committee on Water.

FROM THE CITY SURVEYOR

In compliance with your resolution of January 28th, I have examined the Bridge over the Cazenovia creek, on the Cazenovia road, and herewith submit a plan and estimate of the cost of thoroughly repairing, and making it perfectly secure.

The plan on which the bridge was first built was so defective that it is utterly impossible to repair it so as to make it secure on the present plan. It will therefore be

necessary to put in new trusses entirely, as shown by the plan hereto annexed.

The total cost of this change, together with the expense of securing the abutments, will be $256.

The present bridge is in a very dilapidated condition, and should be attended to immediately.

PETER EMSLIE,
City Surveyor.

Referred to Committee on New Territory.

FROM THE SUPERINTENDENT OF SCHOOLS.

A. B. Ellsworth, Principal of Public School, No. 20, has paid a tax of 81 cents on that district, for repairing Amherst Street. I enclose the receipt of the Receiver of Taxes to him for that sum, as a voucher, and recommend that an order be drawn in his favor for 81 cents, chargeable to the Local Fund of Public School No. 20.

SANFORD B. HUNT,
Superintendent of Schools.

Referred to Committee on Schools.

FROM THE CITY TREASURER.

Gentlemen,—I have nominated to the position of bookkeeper in this office, Mr. James W. Otto, and would respectfully ask the confirmation of said appointment. I would also recommend the continuance of the services of Mr. John Mather in the completion of the labors on the old balances previous to 1854, between this office and the Comptroller's. All of which is respectfully submitted.

JOHN S. TROWBRIDGE, Treasurer.

I concur in the recommendation last named in the above communication.

ALONZO TANNER, Comptroller.

Filed and J. W. Otto confirmed and balance referred to Committee on Finance.

The Clerk reported the following action of the Board of Health, passed Feb. 4th, 1861, and asked its confirmation by the Common Council.

Resolved, That William Miller be allowed $4 per week for keeping the Pest House open and in good order, and furnishing all supplies for the same, except fuel, medicines and stimulants for the patients, and that he be allowed in addition thereto, for each patient in the Pest House, for boarding, nursing and washing, at the rate of $3 per week for all patients therein, not exceeding five at any one time, and for all over that number at the rate of $2 50 per week. This arrangement to continue during the pleasure of the Board of Health. Referred to Committee on Sanitary Measures.

The written resignation of A. S. Merrill of the office of Commissioner of Deeds was presented. Filed and resignation accepted.

The written resignation of John C. Brown of the office of Commissioner of Deeds was presented. Filed and resignation accepted.

Whereupon Ald. Pratt moved that Jacob A. Gittere be appointed Commissioner of Deeds in place of John C. Brown, resigned. Carried.

PETITIONS.

Of Emily White, for declaration of sale of lot on northwest side of Jersey street, 34 feet southeast of Eleventh street, 102½ by 131 feet.

Of P. A. LeCouteulx, for payment of local orders. Referred to Committee on Finance.

Of sundry persons, to have wood measurer appointed. Referred to Committee on Police.

Of Chas. Klipfel, for permission to erect a frame building on Elm street, south of Tupper street. Referred to Committee on Fire.

Of sundry persons, to have John G. Broadbeck appointed Keeper of the North Street Burying Ground. Referred to Committee on Public Grounds.

Of J. Bodamer, for license to sell fresh meat on Fifth street. Referred to Committee on License.

Of John Beam, for Fireman's certificate.

Of Chas. J. Baker, for same. Referred to Clerk with power.

Of N. H. Gardner and others, asking the Common Council to petition the Legislature to abolish the act creating the Superior Court of the City of Buffalo. Laid on the table for the present.

REMONSTRANCES.

Of A. W. Foot, against license being granted to J. Bodamer to sell fresh meat on Fifth street.

Of W. Ashman and others, for same. Referred to Committee on License.

ACCOUNTS REFERRED.

P. A. Balcom, for rent of house in school district No. 15, for school purposes.

C. Jemison, for repairs to school house No. 26.

Andrews & Son, for repairing apparatus in Central School.

L. H. Flersheim, for sundries for School Department.

Peter Mesmer, for desks, &c., for School Department. Referred to Committee on Schools.

F. B. Scott, for painting for Surveyor's Department.

S. D. Sikes, for repairing chairs for City Clerk's office.

Clapp, Matthews & Co. for printing.

John Kelly, for sawing wood for city buildings.

Farnham & Hodge, for coal for city buildings.

E. R. Jewett, for sundries for Comptroller's office.

Referred to Committee on Claims.

John Elliott, for services as Health Inspector in Jan., 1861.

F. Schickendantz, for keeping Pest House in Jan. 1861. Referred to Committee on Sanitary Measures.

REPORTS OF COMMITTEES.

Ald. Howard, from the Committee on Finance, reported in favor of the adoption of the following resolutions:

That permission be and is hereby granted to John T. Tilley to withdraw his petition asking for a declaration of sale on certificate of sale No. 172 of the sale of June 23, 1858, for the reason that the said certificate of sale has been paid and cancelled since the presentation of such petition. Adopted.

That upon the execution of a bond by Patrick Smith, with satisfactory sureties conditioned to indemnify the city against all damage or cost, or claim for such damage or cost, in consequence of cancelling the tax sales hereinafter mentioned, or either of said sales, the said Comptroller be and he is hereby authorized to cancel of record on the books in his office, the following described tax sales, to wit: Sale of June 5th, 1837, of lot on east side of Louisiana street, south corner of Fulton street, being 50 feet front by 100 feet deep, to the city, for $5 95, and assigned to Patrick Smith. Sale of June 5th, 1837, of lot on east side of Louisiana street, commencing 100 feet south of Fulton street, being 50 feet front by 100 feet deep, to the city, for $5 95, and assigned to Patrick Smith.—Adopted.

Ald. Wheeler, from the Committee on Schools, reported in favor of authorizing the Superintendent of Schools to purchase a book-case for the library in School Dist. No 4, at an expense not to exceed $50. Adopted.

Also, in favor of allowing the account of George Orr, for constructing bridge across ditch at School House No. 28—amount $5 06, and of drawing an order for same.—Adopted.

Ald. Palmer, from the Committee on Streets, reported in favor of allowing the following accounts, and of drawing orders for same, viz:

Isaac Holloway for repairing Main street, between the curbing on the southerly side of Court street and a point 200 feet southerly from Court street, by raising the gutter on the westerly side of said street from said curbing to the Main entrance to the American Hotel,—$59 75.

Lauren Williams for repairing the bridge on Hamburgh street, across the ditch at the easterly termination of the Main and Hamburgh street canal,—$31 30. Adopted.

Also in favor of the adoption of the following resolution:

That the Street Commissioner be, and he is hereby directed, to advertise ten days in the official paper, and the Buffalo *Telegraph*, for proposals for carting away the dirt, ashes, filth, manure, and rubbish of all kinds, from the paved streets and alleys of the City of Buffalo, after the same shall be scraped up in convenient piles, until the first day of January, 1862, in accordance with the ordinances of said city, as the same are now or may hereafter be in force. No bid to be received unless accompanied by a guaranty, signed by two or more responsible persons, that the bidder or bidders will, if the contract be awarded to him or them, enter into a contract with the City of Buffalo, in compliance with the terms and specifications for doing the work, and give sufficient security in a bond, to be approved by the Common Council, for the faithful performance of the contract,—the city reserving the right, that in case of default in whole or in part in the faithful performance of the contract, for the Street Commissioner to cause such default to be made good, and to deduct the expense of the same from any money due, or that may become due, the contractor or contractors, twenty per cent of the contract price to be reserved by the city until the entire completion of the contract, as an additional security for the faithful performance of the same. The Common Council also reserves to itself the right to award the contract to such person or persons other than the lowest bidder, as it may deem for the interest of the city, or refuse to award the same to any person.

Ald. Howard moved to amend said resolution so that the notice of the Street Commissioner ask for proposals for doing said work for one year, also for three years, and also for five years. Carried. Ayes, 15; Noes, 5.

Ald. Walsh moved to further amend said resolution, so that the Street Commissioner be directed to publish such notice in the *Courier*, *Republic*, and *Post*, in addition to the papers named therein.

Ald. Goembel moved to add the *Demokrat & Weltbürger*.

Ald. Storck moved to add the *Aurora*. Lost.

Ald. Swartz moved to add the *Free Press*. Lost.

The motion of Ald. Goembel was then lost.

The motion of Ald. Walsh was then lost. Ayes, 6; Noes, 14.

And the said resolution as amended was then adopted.

Also, reported relative to petition of sundry persons asking that the Main street Railroad Company be compelled to run their cars over the northerly end of their road; that the Council had, by a resolution passed January 21, 1861, virtually granted the prayer of the said petition, and asked to be discharged from the further consideration of the subject. Adopted.

Also, in favor of directing the City Assessors to assess $25 for repairing Jefferson street, between Swan and South Division streets. Adopted.

Ald Swartz, from the Committee on Side and Crosswalks, reported in favor of allowing the following accounts, and of drawing orders for same, viz:

Isaac Holloway, for repairing the crosswalk across Dayton street, on the west side of Main street,$29 80.

Same, for repairing that portion of the crosswalk across Main street, extending from the west side of Main street to the northeast corner of Perry and Main streets, between the Main street Railroad track, and the west side of Main street,—$29 83.

Same, for repairing the sidewalk on the easterly side of Main street, between Scott street and the southerly line of Canal street,—$29 03.

Moses Baker, for reconstructing a sidewalk on the easterly side of Washington street, between Genesee street and Chippewa street—$16 32.

W. I. Williams, for repairing the side walk on the southerly side of Canal street, between Lloyd and Prime street—$10 20.

Same, for repairing side walk on the easterly side of Peacock street, between Norton and Evans streets $6 88.

Lauren Williams, for repairing side walk on the northerly side of Genesee street, between Jefferson and Carlton streets—$12 17.

Same, for repairing side walk on the northerly side of Exchange street, between Louisiana and Van Rensselaer streets—$46 20.

Same, for constructing a cross walk across Virginia street, on the south-westerly side of Palmer street—$7 96.

Same, for repairing side walk on the north side of South Division street, between Jefferson and Grosvenor streets—$47 92. Adopted.

Ald. Yaw, from the Committee on Fire, reported in favor of the adoption of the following resolutions:

That the City Clerk be authorised to so correct the Firemen's Register, that it will appear on same that Bernard Murphy joined Engine Company No. 10, in October, 1855, and has been ever since such date and is now a member of said Company. Adopted.

That the Fire Marshal and Committee on Fire be authorised to purchase a team of horses for the Shepard Steam Fire Engine, at a price not exceeding four hundred dollars, and that the resolution passed Jan 21st, 1861, for the same purpose, be and the same is hereby so amended. Adopted. Ayes, 20; Noes, 0.

Ald. Pratt, from the Committee on Water, reported in favor of allowing the following accounts and of drawing orders for same:

John Gisel, for repairing pump to well at the corner of Genesee and Mortimer streets—$2 88.

Klein & Dobinson, for repairing pump to well at the corner of Cedar and William streets—$2 18.

Same, for same, at the corner of Pratt and Batavia streets—$3 13.

Same, for same, in North Division street, between Cedar and Hickory streets—$2 25.

Same, for same, in Michigan street, near Gay street—$3 62.

Same, for same, at the corner of Genesee and Ellicott streets—$1 75.

Same, for same, at the corner of Washington and Exchange streets—$1 25.

Same, for same, in Walnut street, between Batavia and William streets—$1 88.

Same, for same, in Batavia street, between Michigan and Pine streets—$1 50.

Klein & Dobinson, for repairing pump to well at the corner of Mulberry and Goodell streets, Aug. 6th—$3 92.

Same, for same, Dec. 21st—$2 81.

Same, for repairing pump to well at the corner of Morgan and Chippewa streets—$1 88.

Same, for same, at the corner of Pine and Swan streets.—$2 75. Adopted.

Also, reported the following resolution:

That a special election be held for the election of an Alderman in the 12th Ward, on the first Tuesday after the first Monday in June next, and that the City Clerk cause to be published the proper notice of the same.

Ald. Pratt moved to lay the same on the table.

Ald. Walsh moved that said resolution be adopted.

The question was taken on the motion of Ald. Pratt, and the same was carried. Ayes, 12; Noes, 7.

Ald. Howard, from the Committee on Claims, reported in favor of allowing the accounts of H. Hersee, for stool and repairing chairs for city offices—amount $4 75—and of drawing an order for same. Adopted.

Ald. Mills, from the Committee on Police, reported in favor of allowing the account of C. Bull, for coal for Chief of Polic —amount $5 50—and of drawing an order for same. Adopted.

Also, in favor of directing the City Attorney to remit a fine of $25 imposed upon Paul Goembel, October 17, 1860, for a violation of the ordinances entitled of "Markets and the Sale of Meats," upon payment of costs by said Goembel.

Ald. Howard moved to so amend said report that $23 of such fine be remitted.

Ald. Savage moved as an amendment that $20 of said fine be remitted. Lost.

The motion of Ald. Howard was then carried. Ayes, 10; Noes, 9.

And the report, as amended, was then adopted. Ayes, 19; Noes, 0.

Also, in favor of referring the following accounts to the City Attorney, with directions to report to the Council his opinion as to the liability of the City for the payment of either or any of said accounts, viz:

Chas. Gardner, for services as Watch House Justice for 1860—balance claimed to be due--$147.

Morris Helms, for services as Captain of Police, from Aug. 27, 1860, to Jan. 3, 1861—$231 50.

John Carr, for services as Policeman, from Aug. 27, 1860, to Jan. 3, 1861—$178 08.

Patrick Lynn, Peter Vogle and Henry V. Soule, for like services, each—$178 08. Adopted.

Ald. Storck, from the Committee on Markets, reported in favor of drawing an order for $200, in favor of C. Boorom, for use of horse and buggy in 1860, for Clerk of the Market. Adopted.

Also, in favor of allowing the account of C. Bauer, for work at Clinton Market, amount $8 37, and of drawing an order for same. Adopted.

Ald. Allen moved that Ald. Walsh be excused from further attendance at this meeting of the Council. Lost for want of a unanimous vote.

Ald. Pratt moved to reconsider the vote last taken. Carried.

Ald. Pratt then moved that Ald. Walsh be excused from further attendance at this meeting of the Council. Carried unanimously.

Ald. Russell, from the Committee on License, reported in favor of the adoption of the following resolutions:—

That the Mayor be authorized to grant a license to William T. Barnes to sell fresh meat at his shop on the corner of Carolina and Seventh streets, upon the payment of the sum prescribed by the ordinances, and the execution of a satisfactory bond. Adopted, Ayes 19; Noes 0.

That the Mayor is hereby authorized to grant a license to John A. Betz, to sell fresh meat at the corner of Perry and Alabama streets, on his paying the usual fee, and the execution of the proper bond. Adopted, Ayes 19; Noes 0.

Ald. Crowder, from the Committee on New Territory, reported in favor of allowing the following accounts and of drawing orders for same:

William Farmer, jr., for constructing a crosswalk across Bridge street, on the westerly side of Niagara street—$9 24.

Same for constructing a crosswalk across South street, on the easterly side of Niagara street—$10 60.

Same, for constructing a crosswalk across Amherst street, on the easterly side of Niagara street—$9 96.

Same, for constructing crosswalk across Amherst street, on the east side of Dearborn street—$8 04.

Same, for constructing crosswalk across Parish street, on the easterly side of Niagara street—$11 08.

Same, for constructing crosswalk across Tonawanda street, on the easterly side of Niagara street—$11 40.

Same, for constructing crosswalk across Amherst street, on the westerly side of Niagara street—$9 88.

Same, for constructing sidewalk on the easterly side of Niagara street, between Amherst and Parish streets—$54 40.

Same, for constructing sidewalk on the westerly side of Niagara street, between Bridge and Parish streets—$23 44.

Same, for repairing sidewalk on the easterly side of Niagara street, between the northerly curb line of Amherst street and the southerly curb line of Hamilton street—$11.

Same, for constructing sidewalk on the easterly side of Niagara street, between the southerly line of Porter Square and South street—$10 56.

George Pooley, for constructing crosswalk across North Washington street, on the north side of Bird avenue—$5 50.

Same, for constructing crosswalk across DeWitt street, on the north side of Bird avenue—$7 20.

Adam Deihl, for repairing the bridge across Scajaquada Creek, on Delaware street—$45 40.

Isaac Holloway, for constructing a receiver on the easterly side of Niagara street, to conduct the water from said street into a sluice at the railroad bridge—$16 23.

Same, for constructing a receiver on the westerly side of Niagara street, to conduct the water from said street into a sluice at the railroad bridge—$13 87.

P. A. Balcom, for repairing Ferry street, from Linwood avenue to Main street—$10. Adopted.

SPECIAL COMMITTEES.

Ald. Howard from the Special Committee on Prospect Hill Parks, reported in favor of allowing the account of Pratt & Co., for wheel-barrow for Parks, amount $2 50, and of drawing an order for same. Adopted.

Ald. Pratt, by unanimous consent, offered the following resolution:

That James C. Strong be appointed Commissioner of Deeds. Referred to Committee on Schools.

Ald. Howard moved that the Common Council do now resolve itself into the Committee of the Whole, for the purpose of the further consideration of the report of the Special Committee on Charter amendments, heretofore presented to the Council. Carried.

Ald. Howard was called to the Chair.

The Committee of the Whole rose, and by their Chairman, Ald. Howard, reported that they had had the subject matter of the Report of the special committee on charter amendments under consideration, had made sundry amendments thereto, and submitted the following to the Council, and recommended the adoption thereof, as proposed amendments to the City Charter, meeting the approbation of this Council.

AN ACT,

To amend an act entitled "An act to revise the Charter of the City of Buffalo, and enlarge its boundaries," passed April thirteenth, eighteen hundred and fifty three, and the several acts amendatory thereof.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 11 of Title 2 is hereby amended, so as to read as follows:

Section 11.—The Inspectors of each district shall proceed in the manner required by the general laws of the State, relating to elections other than in towns. They shall provide one ballot-box, to be marked "City," and one ballot-box, to be marked "Ward." All city officers voted for, except ward officers, shall be on one ballot, to be endorsed "City," and the ballot for Ward officers, shall be endorsed "Ward," which ballots shall be respectively deposited in the boxes, marked "City" and "Ward." Upon the closing the polls the Inspectors shall forthwith, without adjournment, canvass the votes received by them, and shall on the same, or next day, make, certify, and file with the City Clerk, a statement of the result, specifying the whole number of votes given for each officer, and the number of votes given for each person for each office.

Section 17 of Title 3, is hereby amended so as to read as follows:

Section 17. The acts now in force concerning the limitation of the number and the appointment of Commissioners of Deeds and Notaries Public, in and for said city of Buffalo, by the Common Council, shall continue in full force, and the Comptroller, City Clerk, Auditor, Treasurer, Receiver of Taxes, Street Commissioner, Assessors, City Surveyor, City Attorney, Superintendent of Schools, and their respective deputies, where a deputy is designated, shall by virtue of their office respectively be ex-officio Commissioners of Deeds of the city, and in taking acknowledgements and affidavits, pertaining to their respective departments, shall not exact or receive a fee therefor.

Section 8 of Title 5 is hereby amended so as to read as as follows:

Section 8. The Common Council shall not, by drafts or warrants on the Treasury, or by any other form of contract, create a liability for the city to pay a greater amount in any one department of city expenditures than shall have been specified and provided for in the previous annual statement of the Comptroller, as adopted by the Common Council, and any drafts, warrants or contracts that shall be issued or made, after such specified amounts shall have been reached or exhausted by previous drafts, warrants or contracts, shall be void as claims against the city, but may be enforced as personal liabilities, jointly and severally, against the members of the Common Council voting in favor thereof; but nothing herein contained is intended to prevent the Common Council from drawing orders on the Treasury in payment of the salaries of all officers of the city, and for the ordinary expenses of the city, between the first day of January in each year and the time when the estimates are confirmed—but the aggregate of all the drafts or warrants drawn in any year against any department shall in no case exceed the annual estimate of the Comptroller, as adopted by the Council for that year.

Section 10 of Title 5 is hereby amended so as to read as follows:—

Section 10. On the first day of September, and on every twentieth day thereafter, there shall be added to every unpaid tax one per cent. thereof until the amount added shall be six per cent. of such tax. On the first day of January the Receiver shall add to every such tax six per cent of the amount thereof as stated in the Roll, and the amount of the tax and of such addition shall thenceforth be the unpaid tax, and shall bear interest from that day at the rate of seven per cent. per annum until paid.

Section 12 of Title 5 is amended to read as follows:—

Section 12. Every tax and assessment heretofore or hereafter levied, with the addition thereto authorized by the several sections of this Title, and the interest on the aggregate amount at and after the rate of seven per cent. per annum, shall be a lien upon the land upon which it is assessed or charged for five years from the time the roll containing such tax or assessment shall be finally confirmed.

Section 15 of Title 5 is hereby amended so as to read as follows:—

Section 15. Every lot advertised for sale shall be subject to a fee of twenty cents, to be called "printer's fee," and also shall be subject to a further fee of twenty-five cents in case of redemption before sale, and of fifty cents if a sale be had, to be called the "Comptroller's fee," but both said printer's and Comptroller's fee to belong to the city. A sale of any parcel may be prevented at any time by payment to the Treasurer, by bill from the Comptroller, of the full amount of the unpaid tax thereon, with the interest and Comptroller's and printer's fees.

Section 16 of title 5 of said act is hereby amended so as to read as follows:

Section 16. No sale shall be valid unless made while the tax for which it is made is a lien upon the land sold. All such sales shall be made for the shortest term of years for which any person will take the premises and pay the unpaid tax, with the interest and charges. Such payment shall be made before the conclusion of the sale, and if not so made the Comptroller may re-sell the property, or the City may have its action for the payment and interest at fifteen per cent. per annum. The sale may be adjourned from time to time until the lands are disposed of, and such as are not bid for when offered for sale or for re-sale as aforesaid, shall be struck off to the city for the term of one hundred years. A certificate of the sale of each parcel of land sold shall be made by the Comptroller and delivered to the purchaser, provided such purchaser shall, within thirty days from the close of the sale, take an assignment of and pay for all tax liens, if any, held by the city; but in default thereof the certificate of sale shsll issue to the city as a bidder for the term of one hundred years. Such certificate shall contain a description of the property, and the time for which it was sold, and the amount with interest and expenses for which the sale was made, and the time when the right to redeem will expire.

Section 20 of Title 5, is hereby amended so as to read as follows:

Section 20. The holder of any such certificate or certificates shall file a copy thereof in the office of the Comptroller, including an account of the expenses actually incurred and paid by him, her or them, and allowed by this act, in items and in detail; which statement shall be verified by the oath of the holder of such certificate, or his agent or attorney, to the effect that such amount and the expenses therein included have been actually incurred and paid, except as to such items as shall relate to amounts charged in such accounts as having been paid to any city or county officer. Such last mentioned items shall be verified by the sworn statement of such city and county officer to whom such amounts are charged to have been paid, to the effect that such payments have been made in good faith to him for the identical services charged in such bills, and that such services have been actually rendered by the person making such statement, at the request of and for the holder of such certificate, and that he is not interested in such certificate, or in the redemption of the land therein described, in any manner directly or indirectly, and that the said charges do not exceed the fees allowed by law.

Any owner or claimant of any parcel of real estate heretofore or hereafter sold, or any specific part or undivided interest in or share of such parcel, may at any time, after such sale (and before a declaration of sale is granted as provided by section 18 of this title,) redeem the same, by paying to the City Treasurer, for the benefit of the holder of such certificate, his representatives or assigns, the amount paid by him, her or them, with the addition of ten per centum per annum on such amount, and the expense of any publication, and all other expenses incurred by him, her or them, and allowed by this act, and specified in the statement above provided for. And on such payment being made, the title acquired by such sale shall cease. But until the copy of the certificate of sale, together with the statement herein before mentioned, shall be filed as herein before required, the owner or claimant of any parcel of real estate so sold, or any part or parcel thereof or interest therein, may redeem the same by paying to the Treasurer the amount for which the same was sold, with the addition of 10 per cent. per annum, and depositing with him ten dollars to meet the holder's said expenses and his written promise to pay the residue, if any; but if any portion of said ten dollars shall remain after paying said expenses, the same shall be returned to the said owner upon his demanding it, at any time after three months from the time of making such deposit. And in such case upon such payment being made to the Treasurer, as aforesaid, the title acquired by such sale shall cease. Non-resident owners may appoint agents residing in the city; and on filing such appointment with the Comptroller, he shall enter the name of such agent in a book to be provided by him and kept in his office.

The 21st section of said title 5 is hereby amended so as to read as follows:

Section 21. At any time after nine months, and within three years after the sale of any parcel of land for any tax, the purchaser, his representatives or assigns, may give notice to the owner requiring him to redeem the same in three months thereafter, by making payment above required. If such owner be a resident of the city the notice shall be served on him personally, or by leaving the same at his residence or place of business, with a person of suitable age and discretion; if he be not a resident of the city, it shall be personally served on his registered agent, if he have one; if he have no such agent, then by properly enfolding and enclosing the same in an envelope directed to the place of residence of such owner, and after pre-paying the postage thereon, depositing the same in the Post Office at said city of Buffalo; if the place of residence of such owner be not known and cannot be ascertained, then by publishing said notice for three days in the official paper of the city, a copy of which paper, containing said notice, marked so as to call attention thereto, mailed to such owner, directed to his last reputed residence, and also by serving a copy of said notice on the person in possession, if any. If the owner shall not redeem the land in three months after any such service or first publication of such notice, or before a declaration of sale is granted, his right of redemption will be divested; and an affidavit of any such service or publication, and of the facts authorizing the service by publication taken before an officer authorized to take affidavits, to be read in courts of records and filed in the office of the Comptroller, shall be presumptive evidence of the facts therein contained. And such notice shall in all cases be served by some person other than the bona fide owner of such certificate of sale.

The 23d section of title 5 is hereby amended so as to read as follows:

Section 23. The provisions of the act entitled "An act authorizing mortgagees to redeem real estate sold for taxes and assessments," passed May 14, 1840, except so far as they are inconsistant therewith, shall apply to all sales of real estate for taxes or assessments made under this act. The Clerk of Erie County, when requested by the owner or owners of any certificate or declaration of sale issued under this act shall search and certify the title of

and incumbrances upon the real estate therein discribed, from such time as the Common Council shall direct, and shall be paid therefor the fees specified in the thirteenth section of the 342d chapter of the laws of this State, passed in the year 1840. On a redemption under this title the person or persons redeeming shall pay to the purchaser, his representatives or assigns, the amount of the bid, together with 10 per centum per annum thereon, and all expenses actually incurred for searches of title, (but no more than one search shall be allowed when said party holds more than one scrip on the same premises,) newspaper publication, postage, and notarial fees, and twenty-five cents for every notice served, when not served by a notary, and when served by a notary the fees for service shall be fifty cents, including said notice and notary's certificate, and twelve cents for every affidavit necessarily made and filed in pursuance of this title.

Section 31 of Title 5 is hereby amended so as to read as follows:

Section 31. The Receiver of Taxes or the Comptroller, as the case may be, in all cases of unpaid taxes and assessments on account of the city, upon rolls in their respective offices, before a sale for such taxes, and thereafter if the certificate of sale shall belong to the city, shall on application of any person desiring to pay any of the taxes set forth in said rolls, or certificates of sale as aforesaid, together with the interest and expenses that shall have legally accrued thereon, furnish such person with a transcript in detail of the taxes, interest and expenses thereon so desired to be paid; and upon payment into the Treasury of the amount specified in such transcript, and necessary to cancel such tax, and the receipt of the City Treasurer endorsed upon such transcript, and countersigned by the Receiver or Comptroller, such tax shall be cancelled or sale discharged by the Receiver or Comptroller, as the case may be.

The Receiver of Taxes shall report weekly to the Comptroller, and file with him on Monday of each week a statement of the amount of taxes and expenses thereon, discharged by him during the previous week, which statement shall specify the fund on account of which every part thereof accrued, and shall also specify the aggregate amount of taxes and expenses discharged by him from each assessment roll as numbered.

The Receiver shall also present a duplicate copy of such statement to the Common Council on Monday of each week, or at such other time as the Council may direct, and said Receiver shall also daily report to the City Treasurer a statement of all taxes and expenses thereon, discharged by him during each day—specifying the fund as aforesaid; and the Treasurer shall thereupon receipt daily, in a book to be kept by said Receiver, the amount so received through his office.

The Comptroller shall make a like report daily to the Treasurer, of the amount of taxes and expenses thereon, discharged by him during each day, and the Treasurer shall receipt the same in like manner as provided for the Receiver. The Comptroller shall also make a like report to the Council as that required by the Receiver, and present the same weekly to the Council as aforesaid, showing a statement of the amount of taxes and expenses, thereon, discharged by him during the previous week.

The City Treasurer shall report to the Council on the first Monday of each month, or at such other time as the Council may direct, a statement embracing the daily reports to him from the Receiver and Comptroller, of the previous month, which report shall specify the amount of money so received by him during the previous month, as well as any and all other monies he may receive on account of the city, specifying the fund, whether General or Local, Water or Lamp, &c., in the aggregate as aforesaid in detail. He shall deposit daily, subject to his own draft, in the Bank or Banks as designated by the Council, and shall embrace in his said monthly report to the Council, a statement of the amount of cash on hand and in Bank, his daily deposits therein, and drafts daily therefrom, during the previous month.

It shall be the duty of the Bank or Banks, so receiving the deposits on account of the city, to report to the Comptroller on the first Monday of each month, or at such other time as the Council may direct, a statement of the amount of money belonging to the city on hand, the daily additions thereto, and the daily drafts therefrom, during the previous month, which statement shall be laid before the Council at the time aforesaid and filed in the office of the Comptroller.

All other officers of the city who shall receive any money on account of or belonging to the city, shall, on receipt thereof, pay the same forthwith to the Treasurer and report the same to the Comptroller, and make a report of the same to the Council, at the next meeting thereafter.

A willful neglect or omission on the part of any officer of the city, to comply strictly with the provisions of this section, shall be deemed sufficient cause for his removal from office, and on satisfactory proof thereof to the Council, after an opportunity to be heard, any officer of the city so offending may be removed from office by a vote of two-thirds of the Aldermen elected to the Council, all other provisions of the City Charter, or statutes of the State of New York, to the contrary notwithstanding.

Title 5 is hereby amended by adding the following as Section 40:

Section 40. The Common Council may in their discretion allow payment by owners or others interested in lands sold to the city for the non-payment of taxes, where the certificates or declarations of sale are held by the city, to redeem the same by the payment of the amount for which such sales shall have been made, and not less than 7 per cent. interest thereon, and the expenses properly chargeable thereon.

Section 8 of Title 6, is hereby amended so as to read as follows:

Section 8. The Common Council may, whenever they shall deem it expedient, establish, maintain and regulate a Central School, in which shall be taught the higher branches of English education, authorised by the Common School laws of this State, and buy such land and erect such buildings thereon as may be necessary for the purpose, and raise the necessary money as a part of the general city tax; such school shall be entitled to its pro rata share of the Literature Fund of the State, equally with and on the same footing with the academies and high schools of the State, under the charge of the Regents of the University of the State.

Subdivision 6 of section 9 of title 6, is hereby amended so as to read as follows:

6th. To order from time to time a tax to be levied up-

on the taxable property of any district, sufficient to pay all such sums as they may deem necessary to be expended in such district, for the purchase of or payment for land therein, and the building, furnishing and repairs of school houses and their appurtenances, and no expenditures for repairs less than twenty five dollars shall be a charge upon the district, but the Common Council shall assess the cost of any expenditure larger than twenty-five dollars upon the taxable property of the district.

Section 35, of title 7, is hereby amended so as to read as follows:

Section 35. The Police Justice of the city shall receive from the Board of Supervisors, in lieu of all fees whatever, an annual salary of not less than two thousand dollars. He shall have sole and exclusive jurisdiction in the city, to hear complaints and take examinations in criminal cases, except as is otherwise provided by this act. He shall also have sole and exclusive jurisdiction to hear, try and determine all cases of vagrancy in the city not disposed of by the Justice or Justices of the Peace attending the public Station houses under section 34 of this title. He shall possess, and may execute and perform the duties required by said section 34 to be performed by Justices of the Peace.

All statutes or sections of said City Charter inconsistent with this section, as now amended, are hereby repealed, except that nothing herein contained shall repeal section 36 of said title 7.

Section 31, of Title 8, is hereby amended so as to read as follows:

Section 31.—The Common Council shall not order the making of any improvement specified in this title the expense of which, exclusive of the fees of assessment and collection, as first estimated, shall exceed two hundred dollars, unless by a vote of two thirds of the members elected to the Common Council, and after publication of their intention to make such order in ten successive numbers of the city paper, nor shall they make any contract for making any new work or improvement specified in this title, the expense of which shall exceed $100—until they shall have caused notice to be published at least six days in the city paper, asking for sealed proposals, to do such work, according to the plan, specification, or order therefor, which they shall adopt to be made at a time and place to be mentioned in said notice, but said Council may award the contract for such improvement to any bidder therefor, other than the lowest, as they shall deem best for the interest of the City, but in case they award the contract for such improvement to any person other than the lowest bidder therefor, they shall specify the reason for such awards, in the order making the same. Adopted.

Section 6, of Title 2, is hereby amended so as to read as follows:

Section 6.—The electors of each ward shall elect annually, in each ward, in the manner now prescribed by law, one Alderman, and one Constable; also, one Supervisor and three Inspectors of Elections, in each election district of the city, and no Alderman hereafter elected shall directly or indirectly receive, or be allowed a greater sum than one hundred dollars, for his services as such Alderman, in any one year, and in that proportion for any shorter term.

Title 8, of said Charter is hereby amended by adding the following as Section 34:—

Section 34. It shall be lawful for the Common Council to cause any and all awards hereafter made under this title, to be credited on the tax levied under section 17, so that any party who may have an award in his or their favor, made by the Commissioners for lands taken, damages sustained, &c., shall be compelled to apply the amount of such award to the payment of the assessment named, and if the award be greater than the assessment in any such case, it shall be lawful for the Common Council to direct an order to be drawn in favor of the City Comptroller, for so much of said award as may be sufficient to pay the tax or assessment against the party assessed, and in whose favor such award is made, and for the balance of such award, after the paying of the tax as aforesaid, an order shall be drawn in favor of the party entitled thereto, as named in the report of Commissioners, in full payment of such award.

Title 9 is hereby amended by adding the following as section 13:—

Section 13.— The Common Council shall have power to purchase a lot of land for the purposes of a pest house, and to erect proper and suitable buildings thereon, for a pest house, and for a keeper thereof, and by a vote of two-thirds of the members elected to the Council, may issue the bonds of the city for a sum not exceeding $15,000, payable at such time as they shall determine, not exceeding 10 years, bearing interest not exceeding 7 per cent., and in case of the purchase of a new lot for the purpose aforesaid, the said Council may in its discretion sell the pest house lot now owned by the city, on such terms as in their judgment will best promote the interest of the city and in case of a sale, shall apply the proceeds of such sale exclusively to paying and discharging the principal and interest of the debt created for the purchase and improving such new lot, and the said Council shall in their annual estimate raise so much money as shall be necessary to meet the principal and interest of the said debt not otherwise provided for.

Title 12, is hereby amended by adding the following as Section 38.

Section 38. The Common Council is hereby authorized and empowered to consolidate into one fund, to be known as the Harbor Repair Fund, all the balances in the Treasury of said city, heretofore or hereafter received therein, from local assessments, made by order of the Common Council of said city, prior to the first day of January, 1854, and the amount of said balance, after paying all outstanding orders against said funds, respectively, that were drawn against the same, prior to 1854, shall be appropriated towards the repairs and maintenance of repairs upon the harbor, provided the Common Council, after reserving sufficient funds for the payment of the local fund orders mentioned, shall first reimburse from said fund the General Fund of 1853, of said city, all payments that may have been made from said General Fund since the first day of January, 1854, on account of local works ordered prior to said first day of January, 1854.

AN ACT

To Amend an Act, entitled "An Act to organize and establish a Recorder's Court in the City of Buffalo, and for other purposes," passed April 28th, 1839, amended March 28th, 1854, organizing the Superior Court of Buffalo.

Section 4 of said Act is hereby amended so as to read as follows:—

Section 4. On the same day of the State election nex preceding the expiration of the term of office of a Justice of the said Court, an election shall be held to fill the vacancy about to occur. If any vacancy shall occur in the office of a Justice of said Court, the Common Council may order a special election to fil. such vacancy for the unexpired term; the provisions of the third section of this Act so far forth as they are applicable, shall apply to the elections under this section. Adopted.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Palmer, That the Fire Marshal be and he is hereby instructed to confer with J. D. Shepard and ascertain at what cost the steamer C. J. Wells can be changed from a rotary engine and pump, to a reciprocating engine and pump, and report to this Council.—Adopted.

By Ald. Yaw—That the Fire Marshal be and he is hereby directed to notify Silsby, Mynderse & Co., to remove their steam fire engine from the premises belonging to this city, where it is now stored.—Adopted.

By Ald. Crowder—That the City Treasurer be and is hereby requested to report to this Council at its next meeting, the amount received by him from James Haggett and Absolem Bull, on account of their Ferry license. Also, the amount due from them February 1st, A.D., 1861. Adopted.

By Ald. Allen—That sections 1, 2 and 3, of chapter 8 of the ordinances be amended.

Referred to Committee on Wharves, Harbors and Ferries.

By Ald. Crowder—That the Finance Committee be requested to make inquiry and report to this Council the practicability of some permanent arrangement for depositing with the city banks the moneys in the City Treasury, upon some basis to make the city general fund orders permanently equal to money, besides securing interest upon such deposits. Adopted.

By Ald. Howard—

Resolved, That the City Clerk cause to be engrossed the Charter amendments, as adopted this day in Council, and furnish the same to some member of the Legislature from this city, and request the members of said Legislature from this city, to use their exertions to secure their passage in the Legislature, as adopted by this Council, and that the City Clerk be directed to forward a copy of this resolution to each of the members of Assembly from this city, and to the Senator from this county. Adopted.

Ald. Savage called up the petition of sundry persons, asking the Legislature to repeal the act organizing the Superior Court of Buffalo, presented to the Council this day, and laid on the table.

Ald. Howard moved that said petition be laid upon the table for one week, to be taken up under the order of "Motions, Resolutions and Notices," and that the same be printed with the Council proceedings in the city paper. Carried.

The following is the petition:

To the Honorable the Legislature, of the State of New York:

The Undersigned, residents and tax-payers of the city of Buffalo, respectfully petition your Honorable body to repeal chapter ninety-six of the laws of the State of New York, passed March 28, 1851.

Your petitioners ask the repeal of this law, creating the Superior Court of Buffalo, because they believe the Court as at present constituted, to be an expensive and unnecessary luxury, which the city cannot afford during the present hard times.

N. H. Gardner,
E. F. Cook,
R. S. Ralph,
John Fellows,
J. B. Merrill,
O. Butler,
J. C. Severance,
Thomas Sims,
Elias Sims,
Elias C. Lazell,
Henry Seurr,
E. Taunt,
J. B. Smith,
Benjamin Eldridge,
L. P. Perkins,
J. B. Shumway,
W. F. Ketchum,
John Zoll,
Lewis O. Hill,
Joshua Barnes,
E. Gilbert,
D. I. Webster,
J. Hollister,
E. Haight,
D. B. Hull,
Richard Bullymore,
Wallace Johnson,
Samuel C. Green,
William Gregory,
Harrison Guild,
Henry Lovejoy,
S. H. Wheeler,
B. Cornell,
Elias W. Palmer,
Charles Brown,
William Barker,
Erhard Muller.
William Altman,
Johan Teppes,
John C. Brown,
G. A. Van Slyck,
Hiram Adams,
Robert Ovans,
James Miller,
G. Humason,
Hartwell Bowen,
Israel B. King,
George B. Bull & Co,
M. H. Powell,
William Foot,
N. Randall,
V. Randall,
R. Church,
L. D. Gould,
Charles B. Walker,
Hiram Hotchkiss,
F. W. Breed,
A. B. Platt,
John Bush,
S. L. Mason,
Henry Acton,
George Dickmann,
P. Griffin,
George W. Hayward,
J. V. S. Adriance,
William Dodsworth,
James McFarlane,
Edward Dudley,
William I. Williams,
James D. Sheppard,
S. O. Barnum,
R. D. Cursons,
John S. Fosdick,
J. E. Follett,
Jason Sexton,
Charles Tainter,
J. H. Selkirk,
James D. Sawyer,
Isaac D. White,
W. H. Cutler,
Joseph Guild,
W. W. Stanard,
Jonathan Flint,
H. S. Beecher,
A. Volckman,
E. S. Havens,
D. R. Hamlin,
N. Wilgus,
Charles W. Gray,
David Gilbert,
Jesse Peck,
E D. Loveridge,
F. C. Candee,
R. L. Howard,
E. Harvey,
J. Diller,
William King, Jr.,
Justus Clark,
Hugh Webster,
Ellis Webster,
George W. Scott,
M. R. Boughton,
James G. Turner,
Jerome Pierce,
E. and B. Holmes,
D. Hoag,
W. Annis,
G. E. Cross,
John Jones,
A. B. Johnson,
F. S. Fitch,
Jacob Ducrar,
George Tipping,
Frederick Legel,
P. P. Hommelaare,
F. M. Pratt,
Orange W. Clark,
John Mason,
John Mills,
N. Cooper,
William Dodd,
W. H. Cobb,
D. P. Harris,
Peter Curtiss,
C. J. Hamlin,
P. S. Lyman,
F. H. Mendsen,
James Reid,
B. D. Rogers,
William N. Loring,
John Klas,
John Kelly, Jr.,
Walter Smith,
Lawrence Gebhard,
Samuel D. Colie,
George J. Gering,
Edward Stinson,
J. W. Meum,
C. Boorom,
A. W. Wilgus,
Charles H. Schmieding,
William Prescott,
Orlando Allan,
H. G. Meech,
John S Smith,
Samuel L. Meech,
Rollin Germain,
H. Stillman,
Jacob E. Bergtold,
Zenas Clark,
Theodore Butler,
A. Reynolds & Co.,
E. Marvin,
A. Rumsey,
Horace Wing,
W. H. Case,
John Cooke,
John S Lytle,

Henry A. White,
R. D. Sherman,
C. H. Cowan,
C. A. Ribbel,
J. W. Hotchkiss,
Julius Walker,
John L. Kimberly,
William Tweedy,
Lyman Knapp.
J. H. Husted,
J. C. Warriner,
John J. Sidway,
Isaac S. Sherick,
Louis Kappler,
Watkins Williams,
Alfred Clemons,
A. J. Davis,
James Harrington,
Samuel Smith,
H. B. Josselyn,
William Stout,
M. Bailey,
D. N. Clark,
Dudley Dana,
William Montgomery,
Thomas Day,
S. Rathbone,
C. F. Wright,
C. Wormwood,
W. Galligan,
W. P. Mooris,
Daniel B. Castle,
William C. White,
D. Kissock,
M. Clor,
John S. Trowbridge,
William S. Read,
Frank Sherman,
John Benson,
Hadley & Husted,
Charles C. Nichols,
Jacob Kolb,
D. B. Wiggins,
Peter Behringer,
William S. Snell,
Thomas Ward,
E. Lumley,
Malcom Bain,
Zachrey Y. Camdery,
S. Aldrich,
Henry A. Bettis,
M. H. Birge,
H. M. Montgomery,
Quincy S. Seibold,
S. N. Callender,
Hugh Gleeson,
Laura C. Lathrop,
Alexander Rogers,
U. D. Moore,
E. A. Clark,
John Mance,
John M. Trible,
Deloss Eldridge,
Walter S. Abbott,
George L. Fattey,
Crist Klinck,
Charles I. Hubbard,
Andrew Jackson,
W. H. H. Newman,
Z. Bonney,
M. Noon,
T. W. Stockton,
M. R. Kellogg,
S. L. Bestow,
Hiram Brush,
James Harraden,
Frederick Beilhen,
James Durand,
H. D. Farwell,
H. G. Notter,
Jacob Yax,
Michael Sayler,
J. Chester.
William Kemp,
W. W. Jones,
E. Roberts,
Adam Umlauf,
W. R. Bullock,
M. W. Hill,
A. N. Winship.

By Ald. Rutter—That the Receiver of Taxes be and he is hereby required to report to this Council, at its next meeting, the amount of money received by him in each week during his term of office, and also the amount deposited by him with the Treasurer each week; and also, the day of each week on which he has made such deposit with the City Treasurer. Adopted.

Ald. Jones moved that this Council do now adjourn. Carried.

The Common Council then adjourned to meet next Monday afternoon, Feb. 11th, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 6.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
BUFFALO, Monday, Feb. 11, 1861,
At 2½ o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council, and Ald. Allen, Beckwith, Bemis, Brush, Crowder, Dorr, Felton, Goembel, Grass, Hannovan, Howard, Mills, almer, Pratt, Russell, Rutter, Savage, Scheu, Schwartz, S torck, Wheeler and Yaw.

Absent—Ald Adams, Howell, Jones, and Walsh.

The minutes of the last meeting were approved.

OFFICERS OF THE CORPORATION.

FROM THE CITY ATTORNEY.

I hereby report that the action of John W. Clark gainst the City of Buffalo, was tried on the 4th inst., in the Superior Court, and decided in favor of the City.

The amount claimed by the plaintiff, including interest, was nearly $10,000.

I also report that my disbursements in said suit amounted to $39 62, for witness and clerk's fees, exclusive of Sheriff's fees, which are $2 69 more.

GEORGE WADSWORTH, City Attorney.

Filed and subject matter referred to Committee on Finance.

FURTHER FROM THE CITY ATTORNEY.

I hereby report that on the 6th inst., Richard Hornbuckle recovered a judgment aga'nst the City, before C. T. Shattuck, Esq., for $16 50 damages and $1 94 costs.

This action was brought to recover for work done at a well on the corner of William and Monroe streets, which is not a public but a private well; the work was ordered by the Council Sept. 5th, 1859. No assessment could be made to pay for the work, but the claim is a valid one against the City. I therefore recommend that an order for $18 44 be drawn in my favor on the General Fund City Attorney and Legal Expense Department, with which to pay said judgment.

GEORGE WADSWORTH, City Attorney.

Filed, and order directed to be drawn

FURTHER FROM THE CITY ATTORNEY.

I hereby report that I have examined the claims of Morris Helmes, John Carr, Peter Vogle, and Henry V. Soule, for services since August 27, 1860, and find that Morris Helmes was appointed captain of police and the others of said claimants policemen, on the 19th of August, 1857, and that they all took the oath of office on that day or within three days thereafter, and entered upon the duties of their offices, and have been paid in full for their services to Aug. 27, 1860. I also find that they were again appointed to said offices on the 4th day of January, 1858. The term of office prescribed by the Charter for captains of police and policemen, is three years. I suppose that these claims are based upon the supposition that the terms of office of the claimants commenced to run January 4, 1858, and would not expire until January 4, 1861.

I am of the opinion that their terms of office commenced in August, 1857, and that the appointment in January, 1858, was void, that their terms of office expired in August, 1860, and that the City is not liable to pay the amounts claimed by them.

GEORGE WADSWORTH,
City Attorney.

Filed and subject matter referred to Committee on Police.

FROM THE CITY SURVEYOR.

In compliance with your order of December 31st, 1860, I have made a careful survey of the channel of Scajaquada Creek, as it existed prior to the construction of the Erie Canal, also, of the land overflowed by backwater from Black Rock Harbor, between the Cemetry Road and the dam where it connects with the State Ditch. I have also added on a map of the State Ditch and Cornelius Creek down to Niagara River. The amount of land overflowed in the valley of Scajaquada Creek, between the points above named, by the breakwater, is 75 acres, on which it will average at least one foot in depth. The State Ditch was constructed for the purpose of abating this nuisance, but is almost worthless from the fact that it never has been cut down to the proper grade, and is always obstructed by the earth sliding in from the high slopes on each side of the channel. At a distance of forty-five hundred feet from the river the surface of the water in Cornelius Creek is only eight inches higher than at the river; and by continuing the same grade up the S ate Ditch to Scajaquada Creek, the heighth of the water just above the dam now built across said Creek can be reduced at least three feet, which will be amply sufficient to drain all the lands now overflowed. In my opinion the only practicable way of securing this desirable result is by the construction of a stone culvert through the whole length of the high ground, of the size and form shown by the annexed plan.

The proposed culvert will be 2,200 feet in length, and owing to the nature of the ground through which it passes, it will be necessary to construct a timber foundation for its whole length.

The total expense of the improvement according to the plan I have recommended, including cleaning out the

channel of Cornelius Creek, down to the New York Central Railroad culvert, will be $27,260 80, as shown by the following estimate in detail, which is but a small sum when compared with the beneficial sanitary results secured to so large a portion of our city by the abatement of so great a nuisance.

PETER EMSLIE, City Surveyor

Whereupon Ald. Howard offered the following:

Resolved, That the communication from the City Surveyor be received and the same be approved by this Council, and that the City Clerk or Mayor forward the same to Hon. S. V. R. Watson, Member of Assembly from the first district of this county, and that he with the other member of the Assembly from this city and the Senator from this District be requested to use their endeavors to secure the necessary legislation to abate the nuisance referred to in said report, in accordance with the plan and recommendation of the City Surveyor, and that the Mayor, if in his judgment it shall be necessary, employ some person to look after the interest of the city in regard to the matter referred to. Adopted.

The City Treasurer reported, in compliance with a resolution adopted at the last meeting of the Council calling upon him for such report, that he had received from Absalom Bull and James Haggert the sum of $75, on account of their Ferry license.

Referred to Committee on Wharves, Harbors and Ferries.

FROM THE RECEIVER OF TAXES.

In compliance with a resolution of your Hon. Body, passed the 4th inst., I herewith transmit a statement of the weekly receipts and deposits on account of Taxes collected in this office.

MICHAEL WIEDRICH,
Receiver of Taxes.

Filed and subject matter referred to Committee on Finance.

FROM THE FIRE MARSHAL.

I beg leave to report that a portion of the south wall of the old Arsenal building (over the entrance to Police Station No. 3) is in a very unsafe condition.

D. KISSOCK, Fire Marshal.

Referred to Committee on Fire.

FROM THE CITY ASSESSORS.

At a meeting of the Council, held on the 28th of January, 1861, the assessment rolls Nos. 2,317, 2,292, 2,321, 2,330 and 2,332, were referred back to the Board of Assessors for reconsideration. As the City Attorney in his communication to the Council on the subject of said rolls, did not claim that there was any informality or error in the making of the assessments, and believing the Council were mistaken as to the issue made by the City Attorney, this Board respectfully return said rolls to your honorable body for further action.

FAYETTE RUMSEY,
JOB GORTON,
LORENZ GILLIG,
Assessors.

Ald. Howard moved that the City Assessors be permitted to withdraw said communication, together with the rolls therein named. Carried.

The City Clerk reported that at a meeting of the Board of Health, held Feb. 2d, 1861, the following described premises, occupied by Engine House No. 12 were reported as being in a filthy condition, to wit:

Engine lot No. 12 commences 153 30-100 feet east of easterly line of Michigan street, thence northerly at right angles with Batavia street 113 57-100 feet, thence easterly at right angles with Michigan street 34 64-100 feet, thence southerly at right angles to Batavia street 90 feet, thence westerly along northerly line of Batavia street 30 feet, to the place of beginning—part of outer lot No. 123.

Referred to Committee on Sanitary Measures.

The City Clerk also reported that the following named assessment rolls had remained on file in his office more than ten days, since the first publication of a notice in the city paper, that the same were so filed, and that persons interested might file applications for the correction of the same, and that no such applications had been filed with him, viz:

No.	Amount ordered by Common Council.	Amount added by Assessors.	Total amount of Assessment.
2296—For the local fund expenditure in the year 1859	409 37	5 63	415 00
2297—For the special local fund expenditure in the year 1859	622 00	5 00	627 00
2298—For embellishing Franklin Square in the City of Buffalo	250 00	2 00	252 00
2387—For abating a nuisance on ground fronting on the south side of Seneca street, being 50 front and rear, by 182 feet deep, and commencing 75 feet westerly from Alabama street,	15 00	1 00	16 00
2388—For repairing the bridge across the Erie Canal on Evans street	200 00	3 00	203 00
2389—For repairing the dock on the northerly side of Buffalo Creek or Harbor, between Evans Ship Canal and the North Pier	24 08	92	25 00
2340—For reconstructing a wood culvert across Carlton street, on the easterly side of Oak street	7 84	66	8 50
2341—For reconstructing a wood culvert across Carlton street, on the westerly side of Oak street	7 84	66	8 50
2342 — For constructing a wood sluice across Delaware street, on the southerly side of Bouck Avenue, from the westerly line of Delaware street to the gulf, a few rods east	43 82	1 18	45 00
2343—For repairing the wood culvert across Best street, on the easterly side of Ellicott street	6 00	1 00	7 00
2344—For repairing the wood culvert across Best street, on the westerly side of Ellicott street.	6 00	1 00	7 00
2345—For reconstructing the crosswalk across Scott street, on the easterly side of Main street	61 89	1 11	63 00
2346—For repairing the crosswalk across Carlton street, on the easterly side of Main street	7 36	64	8 00
2349—For repairing the sidewalk on the northerly side of Sycamore street, between German alley and Mortimer street	5 03	42	5

2350—For repairing the sidewalk on the north side of Ferry street, between Porter and North Jefferson streets.....	15 00	1 00	16 00
2351—For repairing the sidewalk on the easterly side of Virginia street, between the angle in Virginia street, near Mariner street, and Delaware Place...	30 00	1 00	31 00
2352—For repairing the sidewalk on the southwest side of Twelfth street, between Hudson and Pennsylvania streets.....	57 96	1 04	59 00
2353—For repairing the sidewalk on the easterly side of Illinois street, between Perry and Elk streets	5 52	48	6 00
2354—For repairing the sidewalk on the southerly side of North street, between Main and Franklin streets.....	25 60	1 40	27 00
2355—For constructing a stone sidewalk on the southwest side of Ninth street, between the northwest curb line in Virginia street and the southeast curb line in Maryland street..	46 80	1 20	48 00
2356—For constructing a sidewalk on the easterly side of Niagara street, between the bridge across Scajaquada Creek and Tonawanda street.....	36 16	84	37 00
2357—For repairing the sidewalk on the southerly side of Mackinaw street, between Tennessee street and a point 60 feet easterly therefrom.....	6 55	45	7 00
2358—For constructing a plank sidewalk on the easterly side of Johnson street, from Genesee street to a point 763 feet northerly therefrom.....	16 00	1 00	17 00
2359—For constructing a plank sidewalk on the easterly side of Herman street, from Genesee street to a point 850 feet southerly therefrom.....	16 00	1 00	17 00
2360—For repairing the sidewalk on the southwesterly side of Fifth street, between Georgia and Carolina streets.....	42 32	1 18	43 50
2361—For repairing the westerly side of Main street, between the northerly side of Chippewa street and the curb line on the northerly side of Huron street, by raising the gutter...	44 18	1 32	45 50
2362—For repairing Exchange street, from the pavement to the New York City Railroad..	25 00	1 00	26 00

The following communication from the City Attorney was presented :

I hereby report that I have examined an abstract of the proceedings of your honorable body in regard to assessment rolls Nos. 2296, 2297, 2298, and 2337 to 2363, both inclusive, and am of opinion that said proceedings have been regular and in accordance with the provisions of the Charter, except as to rolls Nos. 2357 and 2347.

No, 2357 is "for repairing the sidewalk on the southerly side of Mackinaw street." On the 14th of August, 1860, you ordered said sidewalk constructed. On the 17th December, 1860, you ordered the assessment for repairing. I think the order for the assessment should follow the language of the order for the work, and therefore recommend that you rescind the order for an assessment for repairing, and order an assessment for construction.

Roll 2347 is the lamp district extension roll. The objection to this roll is, that on the 29th day of October, 1860, you ordered the Lamp District extended on both sides of Vermont street, and on both sides of Ninth street, from Niagara street to Connecticut street. On the 31st of December, 1860, you ordered the assessment in question, which is on the north-east side of Ninth street only. The order for the assessment does not conform to the order for the work.

GEORGE WADSWORTH,

City Attorney.

Received and placed on file.

Whereupon Ald. Howard moved that assessment roll No. 2357 be annulled, and that the subject matter thereof be referred to the Committee on Side and Cross Walks.—Carried.

Ald. Howard moved that the consideration of assessment roll No. 2352 be postponed for one week. Carried.

Ald. Howard offerd the following :

Resolved, That roll No. 2298 for improving and embellishing Franklin Square be confirmed.

Resolved, also, that the action of this Council in assessing upon property adjacent to Franlin Square a portion of the expense for the embellishment of square, shall not be deemed any expression of this Council as to the propriety or impropriety of making any future repairs or improvements of said square a general or local tax.

Ald. Bemis moved as an amendment that said roll be annulled.

Ald. Brush was excused from further attendance at this meeting of the Council.

The question was then taken on the amendment moved by Ald. Bemis and the same was lost. Ayes, 2 ; Noes, 18.

Ald. Bemis then moved that the consideration of said roll No. 2298, be postponed for one week. Lost—Ayes, 8 ; Noes 12.

The question being on the adoption of resolutions offered by Ald. Howard, a division of the question was called for.

The question was then taken on the adoption of the first resolution offered by Ald. Howard, "That roll No. 2298 be confirmed," and the same was adopted. Ayes, 18 , Noes, 2.

The question was then taken on the second resolution, offered by Ald. Howard, and the same was lost. Ayes, 7 ; Noes, 13.

Ald. Howard moved that the balance of the rolls reported by the Clerk in the foregoing communication be confirmed. Carried.

Ald. Storck was excused from further attendance at this meeting of the Council.

The City Clerk also reported that the following named Assessment Roll had remained on file in his office more than ten days since the first publication of a notice in the City paper, that the same was so filed, and that Messrs. A. A. Eustaphieve and others had filed an application for the correction of the same, viz. :—

No. 2347. For setting lamp-posts, laying service-pipe, and furnishing lamps for the extended lamp districts for 1860 ; and for defraying the expenses of gas consumed ; and for lighting and cleaning the lamps in said extended lamp districts, from the time said lamps were lighted to April 1st, 1861. Tax, $140 00 ; expense, $2 00 ; aggregate, $142 00.

Ald. Howard moved that said Roll be annulled, and that the subject matter thereof be referred to the Committee on Public Lamps. Carried.

The City Clerk also reported that the following named assessment Roll had remained on file in his office more than ten days since the first publication of a notice in the City paper, that the same was so filed, and that E. W. Palmer, attorney for the heirs of L. Warren, had filed an application for the correction of the same, viz. :—

No. 2348. For constructing a brick sewer in the north-east side of Ninth street, from the sewer in the centre of Maryland street to a point 120 feet southeasterly from Hudson street. Tax, $461 55; expense, $2 45; aggregate, $464 00.

Time for consideration fixed for two weeks from to-day.

The City Clerk also reported that the following named assessment roll had remained on file in his office more than ten days, since the first publication of a notice in the city paper that the same was so filed, and that Henry J. Warren and fifteen others had filed an application for the correction of the same, viz:

No. 2363—For repairing and maintaining the public well and pump, located at the corner of William and Pine streets—$139.

Time for consideration fixed for two weeks from to day.

Assessment roll No. 2331, for repairing Perry street from Hamburgh street to a point 300 feet easterly therefrom, amount $31, the time for the consideration of which and the objections thereto was fixed for to-day, was taken up, and opportunity given to parties interested to be heard.

Erastus W. Clark addressed the Council in opposition to the confirmation of said roll.

Whereupon, Ald. Hanovan moved that said roll be referred back to the City Assessors for reconsideration. Carried.

The written resignation of Chester Marvel of the office of Constable of the Ninth Ward, was presented. Filed and resignation accepted.

The written resignation of Thos. S. Cutting, of the office of Commissioner of Deeds, was presented. Filed and resignation accepted.

Whereupon Ald. Felton offered the following:

That Alexander G. Mason be appointed Commissioner of Deeds in place of Thos. S. Cutting, resigned. Referred to Committee on Schools.

The following communication was received:

To the Honorable the Common Council of the City of Buffalo:

GENTLEMEN: By your kindness and liberality I was permitted to attended the National Sanitary Convention, at Boston, in June last. I have just received a copy of the proceedings of said Convention, and take pleasure in presenting the same to your Honorable Body, and would call your particular attention to the articles on civic cleanliness and Registration of Births and Marriages, and Deaths.

Respectfully Yours,
M. BRISTOL.

Communication filed, and copy proceedings of Sanitary Convention accepted and ordered filed in City Clerk's office.

Also, the following:

To the Honorable the Common Council of the City of Buffalo:

I noticed in the Council proceedings, as published, of January 24th, a communication from the Comptroller, in which the following statement is made:

Justice Gardner has paid into the Treasury $1,224, leaving him still indebted $488 25.

From the manner in which it is stated, I infer the Comptroller desires it to be understood that I am a defaulter to that amount.

I claim that the city is indebted to me, over and above all claims and set-offs, in the sum of $147, as a reasonable compensation for services rendered the city.

I am anxious to have this matter settled, and for that purpose respectfully request that the City Attorney, if the matter cannot be otherwise adjusted, be directed to commence a suit against me in the Superior Court of the City of Buffalo, in which action I will join issue immediately, and desire the same to be tried at the next term of the Superior Court.

All of which is most respectfully submitted.

CHARLES GARDNER,
Late Watch House Justice.

Buffalo, February 11th, 1861.

Ald. Howard moved that said communication be filed, and that the City Clerk be directed to request Mr. Gardner to pay into the city Treasury all moneys collected by him as Watch House Justice; and that if he has any claim against the city for extra service, to present such claim to the Common Council for consideration. Carried.

PETITIONS.

Of J. M Hutchinson and G. T. Williams for payment of sundry local orders.

Of John T. Gardner for declaration of sale on lot on south side of Abbott street, part of lot 50, subdivision lot No. 73 and 74, lying on the westerly corner of White's Corners Plank Road, being 142 feet front by 145 feet deep. Referred to Committee on Finance.

Of Herman Scher and others for the construction of a sewer in south side of Seneca street. Referred to Committee on Sewers.

Of William O'Keeffe for permission to repair wooden house. Referred to Committee on Fire.

Of James Adams and others to have James Green appointed Constable in Ninth Ward. Referred to Committee on Police.

Of Martin Morin for Fireman's Certificate. Referred to Fire Commissioners with power.

Of H. Stillman for permission to raise and repair a frame cottage on Swan street.

Ald. Yaw moved that permission to do the same be granted, under direction of the Fire Marshal and subject to further order of the Council. Carried. Ayes, 17; Noes, 0.

ACCOUNTS REFERRED.

William Mensch, for repairing Carolina street, between Tenth and Eleventh streets. Referred to Committee on Streets.

James Howells, for work for Fire Department.

Same, for use of team on Steam Fire Engine in December, 1860.

Same, for use of team on Steam Fire Engine in January and February, 1861. Referred to Committee on Fire.

Wm. H. Glenny, for sundries furnished Small Pox Hospital in 1859.

Same for sundries furnished City Clerk's Office in 1859.

Same for sundries furnished Treasurer's Office in 1858.

Same for sundries furnished City Hall Department in 1857, '58 & '59.

Same for sundries furnished Street Commissioner's Office in 1859.

Same for sundries furnished Comptroller's Office.

Clapp, Mathews & Co. for printing for Assessors. Referred to Committee on Claims.

J. I. Richards, for medical attendence at Chief of Police Office. Referred to Committee on Police.

REPORTS OF COMMITTEES.

Ald. Howard, from the Committee on Finance, reported in favor of the adoption of the following resolutions:

That upon filing the petition of Chas. F. Hunter, together with the proofs accompanying same, with the Comptroller, in which said Hunter asks for a declaration of sale on certificate of tax sale No. 725 of sale of March 18, 1856, of lot on east side of west line of farm lot No. 2, part of farm lot No. 2, commencing north corner of Buffalo, Corning & New York Railroad Co., being 1,727 feet front, to railroad track and east line of lot. Also, on certificate No. 1,262 of the sale of May 27, 1857, of lot on east side of west line of lot 2, part of farm lot No. 2, being 1,727 feet front, in depth to Corning Railroad track, and east line of lot 2, north cor. Buffalo, Corning & New York Railroad track; and also on certificate No. 1,702, of the sale of June 23, 1858, of lot on east side of west line of lot No. 2, lying on the north corner of Buffalo, Corning & New York Railroad track, being 1,727 feet front, in depth to Corning Railroad track, and east line of lot No. 2, the said Comptroller execute and deliver to said Hunter a declaration of sale on each of the above described certificates, in the form prescribed by the City Charter. Adopted.

That upon filing the petition of T. Pinner, together with the proofs accompanying same, with the Comptroller, in which said Pinner asks for a declaration of sale on certificate of tax sale No. 1,276, of the sale of May 27, 1857, of lot on west side of Ash street, part of outer lot No. 129, lying 150 feet north of Sycamore street, being 25 feet front by 150 feet deep, the said Comptroller execute and deliver to said Pinner a declaration of sale thereon, in the form prescribed by the City Charter. Adopted.

That upon the filing of the petition of T. Pinner, together with the proofs accompanying same, with the Comptroller, in which said Pinner asks for a declaration of sale on certificate of tax sale No. 2,244 of the sale of June 23, 1858, of lot on west side of Mulberry street, part of outer lots 134, 135, lying 100 feet north of Goodell street, being 25 feet front by 100 feet deep, the said Comptroller be directed to execute and deliver to said Pinner a declaration of sale thereon in the form prescribed by the City Charter. Adopted.

That the Comptroller be, and he is hereby directed to cancel of record the sale of December, 1844, for the non-payment of General City Tax of 1843, of a lot of land on the east side of Palmer street, 100 feet front by 100 feet deep, commencing 123 feet north of Maryland street, the tax of that year on said lot having been paid and the sale therefore erroneous. Adopted.

That an order be drawn on the General Fund of 1853 for $9 17, in favor of the Comptroller, and that the Comptroller deposit the same with the City Treasurer to the credit of Local Fund for paving Oak street from Huron to Genesee street. Adopted.

That an order be drawn on the General Fund of 1860, Erroneous Tax Department, for $3 53, and also one for nine cents on the Hydrant and Water Tax of 1860, in favor of George W. Johnson, for erroneous taxes paid by him on lot on east side of Elm street, 30 47-100 feet by 100 feet, commencing 100 feet north of Carlton street; also lot on Pratt street, west side, 33 by 61 feet, commencing 288 feet north of William street. Adopted.

That an order be drawn on the General Fund of 1860, Treasurer's Department, for $26 in favor of John S. Trowbridge, City Treasurer, with which to reimburse his office for worthless money received by that office during the year 1860. Adopted.

That the petition of James F. Chard, asking for a declaration of sale on lot south side of Swan street, part of farm lot 14, commencing 210 feet east of Pollard street, being 55 by 110 feet—sold March 18, 1856—be denied, and that said Chard have leave to withdraw his petition. Adopted.

That the prayer of the petition of Phebe Salisbury, asking that the sale of lot on easterly side of Sixth street, northerly corner of Hudson street, being 50 by 100 feet, for the non-payment of the General City Tax of 1839, be cancelled, be] and the same is hereby denied, for want of proof of payment. Adopted.

That the prayer of the petition of Stephen S. Smith, agent for Chas. Burrall, asking that the tax sale of December 28, 1840, of lot on west side of Columbia street, north corner of Elk street, being 75 by 150 feet, be cancelled, be denied. Adopted.

Also against taking any action on petition of A. Ebberdine, asking that a tax sale on lot on corner of Clinton and Weiss streets be cancelled. Adopted.

Also against granting the prayer of the petition of H. Hellreigel, asking that a tax for sidewalk on easterly side of Mariner street, assessed to him, be remitted. Adopted.

Also that the petition of Theobald Klein, asking for the payment of an order drawn on the City Treasurer by C. S. Macomber, was a matter of which the Council could not take any cognizance, and recommended that Mr. Klein have leave to withdraw his petition. Adopted.

Ald. Mills was excused from further attendance at this meeting of the Council.

Ald. Wheeler, from the Committee on Schools, reported in favor of allowing the following accounts and of drawing orders for same:

Andrews & Son, for repairing apparatus at Central School—$5 60.

P. A. Balcom, for rent of house in district No. 15—$52. Adopted.

Ald. Pratt, from the Committee on Water, reported in favor of the adoption of the following:

That the Common Council intend to order a public well constructed near the northwest corner of Michigan and Carlton streets, and that the necessary notice be published. Adopted.

Ald. Pratt, from the Committee on Police, reported in favor of the adoption of the following resolution:

That the Common Council do now proceed to ballot for constable for the Ninth Ward, to fill the vacancy occasioned by the resignation of Chester Marvell. Adopted.

Ald. Pratt moved to reconsider the vote taken on the above resolution. Carried.

Ald. Pratt moved that said resolution be referred back to the Committee on Police. Carried.

Ald. Allen, from the Committee on Wharves, Harbors and Ferries, reported in favor of the adoption of the following resolution:

That Sections 1, 2 and 3, of Chapter 8 of the ordinances, entitled "Of Ferries," be repealed. Adopted. Ayes, 18: Noes, 0.

Ald. Wheeler, from the Committee on Public Grounds, reported in favor of the adoption of the following resolution:

That Wm. Schick be appointed Keeper of the Potter's Field Burial Ground, on North Street, for the year 1861, without pay. Adopted.

Ald. Crowder, from the Committee on New Territory, reported in favor of the adoption of the following resolution:

That the Common Council intend to order the bridge across Cazenovia Creek, on the Cazenovia Road, (or street) to be repaired, and that the necessary notice be given. Adopted.

Ald. Palmer moved that the Common Council do now resolve itself into the Committee of the Whole for the purpose of the consideration of the Comptroller's statement, presented to the Council January 28, 1861.—Carried.

Ald. Beckwith was called to the Chair.

The Committee of the Whole rose, and by their Chairman, Ald. Beckwith, reported that they had had the subject matter of the Comptroller's statement under consideration, had made some progress therein, and asked leave to sit again. Leave granted.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Beckwith—That the sidewalk on the west side of Jefferson street, between Clinton and Eagle streets, be repaired. Referred to Committee on Side and Cross walks.

By Ald. Swartz—That the City Clerk cause 150 copies of the minutes of the Council for the year 1860, to be indexed and bound, immediately.

Ald. Howard moved to amend said resolution that it direct the Clerk to cause a sufficient number of such minutes to be bound in Morocco, as will furnish one copy to each Alderman and one to each of the City Offices. —Amendment accepted.

Ald. Beckwith moved as a further amendment, that three additional copies to the number limited in the motion of Ald. Howard, be bound in Morocco, to be deposited in the Public Libraries in this city. Amendment accepted.

The said resolution, as amended, was then adopted.

By Ald. Howard—That the Comptroller cause the unrecorded deeds belonging to the city, in his office, to be recorded in the County Clerk's office, and furnish bill from County Clerk. Adopted.

By Ald. Yaw—That the Fire Marshal be and he is hereby authorized to appoint, subject to the confirmation of this Council, all the Engineers, Firemen and Drivers for the different Steam Fire Engines now owned by or hereafter purchased by this city, provided he does not appoint them for a longer time than until the first day of January in each and every year; any or all of them appointed subject to removal whenever this Council thinks proper so to do. Adopted.

The resolutions relating to the following subjects on the Clerk's desk, were by him referred, viz:

To appoint Samuel Lake and Matthew Garrigan Commissioners of Deeds. Committee on Schools.

To remove obstructions from Perry street. Committee on Streets.

To complete the improvement of Buffalo Creek. Wharves, Harbors and Ferries.

The Common Council then adjourned to meet next Monday afternoon, Feb. 18th, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

SPECIAL MEETING.

IN COMMON COUNCIL,
Buffalo, Monday, Feb. 14th, 1861,
At ½ past 7 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council, and Ald. Beckwith, Brush, Crowder, Dorr, Felton, Goembel, Grass, Howard, Howell, Mills, Palmer, Rutter, Scheu, Schwartz, Storck, Walsh, Wheeler, and Yaw.

Absent—Ald. Adams, Allen, Hanovan, Jones, Pratt, Russell, Savage.

The reading of the minutes of the last meeting was dispensed with.

COMMUNICATIONS FROM HIS HONOR THE MAYOR.

MAYOR'S OFFICE,
Buffalo, Feb. 14, 1861.

To the Hon. the Common Council of the City of Buffalo:—

GENTLEMEN: On application of eight Aldermen of the City, I have called a special meeting of the Common Council, to be held this evening, (14th inst.,) at 7½ o'clock, to consider the Comptroller's estimates for 1861, and for the transaction of such other business as your Honorable Body may deem proper.

Very respectfully,
F. A. ALBERGER, Mayor.

Received and placed on file.

Whereupon Ald. Felton offered the following:

Whereas, that, owing to the sickness of His Honor, the Mayor, and his inability on that account to discharge the duties devolving upon him as the Chief Magistrate of this city, in welcoming to its hospitalities Mr. Lincoln on his contemplated visit to this city on his route to Washington to fill the Chair to which he has been elected, therefore

Resolved, That this Council do now proceed to ballot for a Mayor *pro tem.*, for the special service of welcoming him and of tendering to Mr. Lincoln the free hospitalities this city, during his sojourn here. Adopted.

The Common Council then proceeded to ballot for Mayor *pro tem*, Ald. Felton and Dorr acting as tellers, and on such balloting,

Ald. Asaph S. Bemis received.....14 votes.
Ald. Austin A. Howard " ..... 3 "
Blank " ..... 1 vote.

Whereupon Ald. Howard moved that Asaph S. Bemis, Esq., be declared unanimously appointed Mayor *pro tem.* Carried.

Ald. Beckwith moved that the regular order of business be suspended.

Ald. Howard moved that this Council do now adjourn. carried.

The Common Council then adjourned to meet next Monday afternoon, Feb. 18th, 1861, at 2 o'clock.

J. W. STEWART, Deputy City Clerk.

MINUTES No. 7.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Feb. 18, 1861,
at 2 o'clock, P. M.

Present—Aldermen Allen, Beckwith, Brush, Felton, Goembel, Grass, Hanovan, Howard, Howell, Mills, Palmer, Pratt, Russell, Rutter, Savage, Scheu, Schwartz, Storck, Wheeler, and Yaw.

Absent—Aldermen Adams, Bemis, Crowder, Dorr, Jones, and Walsh.

In the absence of the President, Ald. Beckwith was called to the chair.

The minutes of the meetings held February 11th and 14th, 1861, were approved.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

Gentlemen—The roll for the supply of water in the Parish tract having been confirmed, I recommend that orders be drawn in my favor for the payment of bonds as named in my communication of the 17th December, 1860, found at page 490, of your proceedings.

ALONZO TANNER, Comptroller.

Filed and orders directed to be drawn.

FURTHER FROM THE COMPTROLLER.

GENTLEMEN:—In compliance with a resolution, adopted by your Hon. Body on the 21st ult., in relation to the fund for opening Delavan Avenue, I respectfully report that the—

Amount of outstanding orders is	$425 00
Amount of awards for which orders are not drawn is	498 76
Entitled to interest from March 8, 1859	$923 76
Balance in City Treasury	$1,123 18

Orders for the payment of awards were directed to be drawn Sept. 13, 1858. Hon. J. G. Masten took his orders March 3, 1860, being two orders of $125 06 and $200 respectively, and applied same in payment of his tax on lots 125 and 126 on north side of Bouck Avenue, and lot 137 on south side of Clinton Avenue. Amount paid $337 32. Judge Masten paid his tax and interest at 7 per cent. same as he received on his orders and the amount of interest remitted was on lots 125 and 126 $36 14, and on lot 137 $22 61. I deemed this a just and fair mode of arranging the matter, as the city had acquired no rights to the lands taken, not having tendered the amount of the awards within the time prescribed by the Charter.

ALONZO TANNER, Comptroller.

—Filed and subject matter referred to Committee on Finance.

FROM THE STREET COMMISSIONER.

GENTLEMEN:—The late storm has caused much damage to the highways in various portions of the city, and among the many injuries to the streets, the undersigned calls your attention to the following:

The bridge across Smith street, near the junction of the Abbott Road, was carried away, and that point is impassible.

The bridge across a ravine about 400 feet easterly from Dole street, was removed from its foundation and is impassible.

The culvert across Elk street, near the New York and Erie Railroad, is much damaged, and is dangerous.

The sidewalk on the easterly side of Jefferson street, between North Division and Eagle streets, is in a very bad condition, and a portion of it dangerous.

The plank walk on the southerly side of Elk street, between the New York and Erie Railroad, and a point 40 feet westerly therefrom is carried away, rendering the walk dangerous.

The plank in the Abbott Road have been carried from the road, and are scattered, and the road-way was obstructed with ice.

The road leading from the Aurora Plank Road Toll-Bridge over Buffalo Creek to Martin's Corner's, was entirely obstructed with ice, and I caused the roadway to be cleared at a small expense, so as to render it passible, and also caused the bridge over the ravine, 400 feet easterly of Dole street to be replaced, so that travel should not be obstructed, and I have caused the plank from the Abbott Road, belonging to the city, to be collected into piles that they may not be lost.

William street, near the water course, between the New York Central Railroad and the Williamsville road, has been washed away so as to form a deep ditch across the street, rendering it almost impassible, and I recommend that a wood culvert be constructed at that point, of sufficient capacity to pass the water—the expense will probably be about $10.

The foregoing requires immediate attention, and the undersigned respectfully recommends that some action be taken, forthwith, in order to prevent accident and save the public from great inconvenience.

L. J. WATERS, Street Commissioner.

Ald. Howard moved that said communication be filed, and subject matter referred to committee on New Territory, and that the Street Commissioner be authorized to cause a wood culvert to be constructed across William

street, near the water course between the New York Central Railroad and the Williamsville road, at an expense not to exceed $10. Carried.

FROM THE SUPERINTENDENT OF SCHOOLS.

Herewith I communicate to the Council my Annual Report of the condition and finances of the schools for the year 1861.

It shows that the whole number taught in the public or district schools during the year, was 12,872; of this number, 4,257 were admitted to the schools for the first time. The average number in daily attendance has been 6,470, an increase on previous years. The average number of teachers employed has been one hundred and eighty-eight. The total payments on salary account to these teachers were $65,264 59. The average cost of instruction, per scholar registered, has been $5 07 per annum.

A Special Report embodies a statement of the affairs of the Central School in detail.

The entire payments on Local and General Fund Account for Schools during the year 1860, foot up only $81,-578 72. In 1858 the expenditures for the same purposes were $125,873 78; showing a decrease in cost of maintaining the schools of $46,300 06. I take this occasion to suggest to the Council that the lowest limit of economy has been reached, and that a more liberal expenditure would be wiser.

SANFORD B. HUNT,
Superintendent of Schools.

Filed, and subject matter referred to Committee on Schools.

The City Clerk reported that the following named persons, appointed by the Common Council December 31, 1860, as Commissioners of Deeds of the City of Buffalo, have not, up to this time, signified their acceptance of such appointment, and filed the proper oath in the City Clerks office:—

Christopher Schmitt, David N. Marvin, Henry F. Allen, George Mudgridge, Edward H. Myers, Louis Kuempel, Louis Goembel, Harmon H. Griffin, Edward Fachs, John W. A. Meyer. Filed and offices declared vacant.

FROM THE FIRE COMMISSIONERS.

The undersigned, Commissioners of the Buffalo Fire Department, respectfully call your attention to the provisions of the "Act for the better regulation of the firemen of the city of Buffalo," (Chap. 437, laws of 1857,) which provide for the appointment of Fire Commissioners, to be *nominated* by the foremen of the several fire companies, and *elected* by the Common Council. That act provides that "The said Commissioners shall be nominated *on the first Tuesday of March, at such place and hour as the Common Council shall designate.*"

The Commissioners first appointed under this act, April 27th, 1857, drew lots, as required by the act, for their respective terms of office, on the 30th day of April, 1857, as follows:

Samuel Smith, for one year: Jarvis Davis, for two years; Oliver G. Steele, for three years; Francis H. Root, for four years; George Jones, for the full term of five years.

As no subsequent appointment has taken place, the Board has so far continued unchanged by any action of the Common Council.

It will be seen that the term of office of the three Commissioners first named has already expired: that of the fourth will expire in April next, and the resignation of Mr. Jones is herewith submitted, to take effect as soon as his successor shall be appointed.

The undersigned therefore request that you will take the necessary action to provide for filling the vacancies and relieving them from the further discharge of the duties imposed upon them.

That these duties have not been without a considerable expenditure of time and labor on their part, will be manifest from the fact that of 1457 firemen who have been enrolled by and received badges from the Board, each one was separately examined under oath as to his qualifications, his case separately passed upon by the Board, and each one was required to subscribe an obligation to perform active duty as a fireman, and to promote subordination in the Department. In addition to this, about 894 resignations, dismissals and expulsions by the several companies, have been acted on by the Board.

This is besides the hearing of formal complaints against companies and individual firemen, and the trial of contested cases, often occupying much time and involving the taking of a large amount of testimony.

We are, however, happy to be able to say that these last mentioned demands upon our time, have gradually diminished in frequency, and have now almost entirely ceased. Justice to the department requires us to add that hardly a complaint for the misconduct of any member of the department has been brought before us during the past year. This is especially creditable to the department, when it is remembered that by the introduction of steam fire engines, a new element has been added to the service, which might very naturally give rise to jealousy on the part of some of the old companies. But with a spirit which does great credit to their character as men and as firemen, the old force has continued faithfully in the discharge of its duty, without insubordination, and with remarkable efficiency.

The undersigned respectfully recommend that in any further steps which may be taken by the Common Council in substituting steam for manual labor in the department, due provision should be made for enabling the members of the present volunteer force to serve out the remainder of their time, and thus acquire the privileges and exemptions provided by law.

Dated, Buffalo, February 11th, 1861.

GEO. JONES,
SAMUEL SMITH,
F. H. ROOT,
JARVIS DAVIS,
O. G. STEELE.

Filed, and subject matter referred to Committee on Fire.

The written resignation of Geo. Jones, of the office of Commissioner of the Buffalo Fire Department, was presented. Received and referred to Committee on Fire.

The written resignation of Jas. A. McWhorter, of the office of Engineer of the Steam Fire Engine C. J. Wells, was presented. Filed and resignation accepted.

Assessment roll No. 2352—For repairing the sidewalk on the southwest side of Twelfth street, between Hudson and Pennsylvania streets—amount $59—the time for the consideration of which had been postponed until to-day was taken up.

Ald. Palmer moved that the consideration of said roll be further postponed for one week from to-day. Carried.

The following communication was received:

To the Honorable the Common Council of the City of Buffalo:

The Turner Society "Vorwærtz" will celebrate the birthday of the illustrious Washington, the father of our common country, on the 22d of February, in their hall, on Ellicott street, and take pleasure in inviting the members of your Honorable Body to honor the Society with their presence at the celebration.

By order of the Turner Society "Vorwærtz,"

E. P. THOMA, Sec'y.

Buffalo, February 16th, 1861.

Filed and invitation accepted.

PETITIONS.

Of James Miller, to be appointed Commissioner of Deeds. Referred to Committee on Schools.

Of M. Schreider and others, to have sidewalk constructed on Ross alley, from Church alley to Batavia street. Referred to Committee on Side and Crosswalks.

Of J. O. Robson, for permission to raise wood building No. 121 South Division street. Referred to Committee on Fire.

Of Col. Lum Smith, for a fireman's certificate. Referred to Fire Commissioners with power.

Of James and George Stewart, boat-builders, for permission to occupy ground north end of Elk street Market to Main and Hamburgh street Canal.

Ald. Hanovan moved to grant the prayer of the petition until June 1st, 1861.

Ald. Palmer moved to refer same to Committee on Public Grounds.

Ald. Howell moved as an amendment to refer same to Committee on Markets. Amendment accepted by Ald. Palmer.

Ald. Palmer's motion as amended was then carried.

Of E. W. Hawkes and others, for a crosswalk across Fulton street, on the west side of Hamburgh street.

Ald. Palmer moved to refer the same to Committee on Side and Crosswalks. Lost.

Ald. Hanovan moved that the rules be suspended for the purpose of ordering the work asked for in the above petition. Lost. Ayes, 5; noes, 11.

Of Jewett & Root and others, to have Liberty street repaired.

By Ald. Palmer—

Resolved, That the said petition of Jewett & Root and others be referred to the Committee on Streets, and that the City Surveyor be, and he is hereby directed to report to this Council at its next meeting, a map or plan of Liberty street, showing its present condition; also, what portion of said street has been washed away. Adopted.

Petition of James Ash and others for the release of James Kealy from confinement in the Erie County Penitentiary.

Ald. Mills moved that the prayer of the said petition be granted. Carried. Ayes 18, noes 1.

ACCOUNTS REFERRED.

Lewis R. Keyes, for repairing clocks for schools. Referred to Committee on Schools.

Caleb Coatsworth, for filling Little Buffalo Creek. Referred to Committee on Streets.

John Wannop, for repairing sewer at the north-west corner of Washington and Goodell streets. Referred to Committee on Sewers.

Henry Swartz & Co., for repairing Engine house "C. J. Wells." Referred to Committee on Fire.

Sherman & Barnes, for oil cloth for Surveyor's office. Referred to Committee on Claims.

Mendsen & Co, for sundries for Comptroller's office. Referred to Committee on Public Grounds.

William Farmer, Jr., for constructing plank sidewalk on westerly side of Dearborn street, beaween Amherst and Hamilton streets.

Same, for constructing plank sidewalk on northerly side of Parish street, at its intersection with Niagara street.

Same, for constructing plank sidewalk on north side of South street, at its intersection with Niagara street.

Same, for constructing plank sidewalk on northerly side of Amherst street, at its junction with the easterly side of Niagara street.

Same, for constructing plank sidewalk on west side of Dearborn street, between Hamilton and Austin streets. Referred to Committee on New Territory.

REPORTS OF COMMITTEES.

Ald. Howard, from the Committee on Finance, reported in favor of the adoption of the following resolution:

That the Comptroller be and he is hereby directed to cancel of record, the sale of Dec. 28, 1840, for the non-payment of the General City Tax of 1839, for $3 70, of a lot on the east side of Louisiana street, east side south corner of Fulton street, being 52 feet front by 100 feet deep, to O. Lee, upon the execution by Patrick Smith of a bond with satisfactory surety, conditional to indemnify the city against all loss, damage or costs, or claim therefor, by reason of cancelling such sale.—Adopted.

Ald. Wheeler, from the Committee on Schools, reported in favor of drawing an order for $78 04 in favor of the St. Vincents Orphan Asylum, in full payment for apportionment of school moneys of 1860. Adopted.

Also, in favor of allowing the following accounts and of drawing orders for same:

L. H. Flersheim, for feather dusters for schools—$10 50.

C. Jemison, for repairs at School House No. 26—$6 00. Adopted.

Also, in favor of drawing an order for 81 cents in favor of A. B. Elsworth, to reimburse him for tax paid on school lot in School District No. 20. Adopted.

Also, in favor of the adoption of the following resolution:

That the following named persons be and the same are hereby appointed Commissioners of Deeds, in and for the city of Buffalo, for two years, from January 1, 1861:—Nelson Hopkins, John W. Stewart, Roswell Chapin, Carl Hutter, Samuel Lake, Lorenz Gillig, James C. Strong, Oliver C. Houghton, John Hellriegel, James Inglis, Harry H. Matteson, Gordon Bailey. Adopted.

Ald. Palmer, from the Committee on Streets, reported in favor of the adoption of the following resolutions:

That the following resolution adopted by the Common Council, at its meeting, held Nov. 26, 1860, to wit: "That the Common Council of the City of Buffalo intend to order Buffalo Creek widened, straightened and enlarged at the Toll Bridge on Ohio Street, and a wood or iron swing bridge, with double swing and stone abutments, constructed across said enlargement at said Toll Bridge,

and that the City Clerk cause the necessary notice of such intention to be published," be and the same is hereby repealed.

That the Common Council of the City of Buffalo intend to order Buffalo Creek, widened, straightened and enlarged, at the toll bridge on Ohio street, and the necessary masonry and crib work constructed for the construction of a swing bridge across said proposed enlargement, and that the necessary notice be published.

That the Common Council of the city of Buffalo intend to order a swing bridge superstructure constructed across the proposed enlargement of Buffalo Creek, at the toll bridge on Ohio street, and that the necessary notice be given.

Ald. Howard moved that said report be laid upon the table for one week, to be taken up under order of "Reports from Committees on Streets." Carried. Ayes 19; Noes, 0.

Also reported in favor of allowing the following accounts and drawing orders for the same:

W. I. Williams, for repairing the dock on the northerly side of Buffalo Creek or Harbor, between the Evans Ship Canal and the North Pier—$24 08.

Same, for repairing the bridge across the Erie Canal, on Evans street—$199 86.

A. D. Morton, for repairing Exchange street, from the pavement to the New York City Railroad.—$25.

George Miller, for repairing the westerly side of Main street, between the northerly side of Chippewa street and the curb line on the northerly side of Huron street—$44 18.

Lauren Williams, for reconstructing wood culvert across Carlton street, on the easterly side of Oak street—$7 84.

Same, for reconstructing wood culvert across Carlton street, on the westerly side of Oak st.—$7 84. Adopted.

Ald. Brush, from the Committee on Sewers, reported in favor of the adoption of the following resolutions:

That the action of this Council, fixing Monday, February 25th, 1861, as the time for the consideration of assessment roll No. 2348, for constructing a sewer in Ninth street, be hereby reconsidered. Adopted.

That the assessment roll No. 2348, for constructing a brick sewer in the northeast side of Ninth street from the sewer in the center of Maryland street to a point 120 feet southeasterly from Hudson street, be and the same is hereby annulled. Adopted.

That the owners of the land on the northeast side of Ninth street from the sewer in the center of Maryland street to a point 120 feet southeasterly from Hudson street, be and are hereby permitted to build at their own expense, without cost to the city, a brick sewer 18 inches diameter in the clear, in the sidewalk on the said northeast side of said Ninth street, between the points above named, the work to be done under the direction of the Street Commissioner. Adopted.

Ald. Swartz, from the Committee on Side and Cross Walks, reported in favor of allowing the following accounts and of drawing orders for same:

Isaac Holloway, for constructing a stone sidewalk on the southwest side of Ninth street, between the northwest curb line in Virginia street and the southeast curb line in Maryland street, amounting to $46 80.

Same, for reconstructing a stone crosswalk across Scott street, on the easterly side of Main street—$61 89.

William Farmer, Jr., for constructing sidewalk on the easterly side of Niagara street, between the bridge across Scajaquada creek and Tonawanda street—$36 16.

Lauren Williams, for repairing the sidewalk on the easterly side of Illinois street, between Ferry and Elk streets—$5 52.

Same, for repairing sidewalk on the southerly side of North street, between Main and Franklin streets—$25 60.

Same, for repairing sidewalk on the northerly side of Sycamore street, between German Alley and Mortimer street—$5 08.

G. Olson, for constructing sidewalk on the easterly side of Herman street, from Genesee street to a point 850 feet southerly therefrom—$16.

Same, for constructing sidewalk on the easterly side of Johnson street, from Genesee street to a point 768 feet northerly therefrom—$16.

Same, for repairing crosswalk across Carlton street, on the easterly side of Main street—$7 36.

W. I. Williams, for repairing sidewalk on the north side of Ferry street, between Porter and North Jefferson streets—$15.

Same, for repairing sidewalk on the easterly side of Virginia street, between the angle in Virginia street near Mariner street and Delaware Place—$30.

W. I. Williams, for repairing the sidewalk on the southwesterly side of Fifth street, between Georgia and Carolina streets—$42 32. Adopted.

Also, in favor of directing the City Assessors to assess $6 55, for constructing a sidewalk on the southerly side of Mackinaw street, between Tennessee street, and a point 60 feet easterly therefrom. Adopted.

Ald. Yaw, from the Committee on Fire, reported in favor of the adoption of the following resolutions:

That permission be and is hereby granted to Charles Keipfel, to erect a frame building, 18 by 31, on the east side of Elm street, in rear of lot commencing 34 feet south of Tupper street, under the direction of the Fire Marshal, and subject to the further order of the Council. Adopted. Ayes 20; Noes, 0.

That the salaries of the Engineers of the Steam Fire Engines of this city, hereafter appointed or confirmed by this Council, be and the same are hereby fixed at fifty dollars per month during the pleasure of this Council.—Adopted. Ayes, 18; Noes, 1.

That permission be and is hereby granted to William O'Keiffe, to alter and repair the wooden building situate on Front street about 26 feet west of Illinois street, under the direction of the Fire Marshal and subject to the further order of the Common Council. Adopted. Ayes, 18; Noes, 0.

Also in favor of allowing the following accounts and of drawing orders for same:

C. J. Wells, for pasture, &c., for horse for Fire Department four weeks, charged at 8s. per week, $4 00. Allowed at 5s. per week—$2 50.

P. G. Lorenz, sundries for Fire Department, charged at $11 35. Allowed at—$8 85. Adopted.

Ald. Howell, from the Committee on Claims, reported in favor of allowing the following accounts and of drawing orders for same:

Clapp, Mathews & Co., for printing for Common Council and City Clerk—$83 75.

E. R. Jewett, for books for Comptroller—$9 90.

F. B. Scott, for painting for Surveyor—$3 50. Adopted.

Also, against allowing the account of M. Hagan for publishing election notice—amount $11 55.

Ald. Felton moved to refer said report back to the Committee on Claims for one week. Lost, and the report was then adopted.

Ald. Mills, from the majority of the Committee on Police, reported relative to the following claims, viz:

Morris Helmes, for services as Captain of Police from August 27th, 1860, to January 4th, 1861—amount claimed, $231 50.

Henry V. Soule, John Carr, Peter Vogel, and Patrick Lynn, for services as Policemen from August 27th, 1860, to January 4th, 1861—amount claimed, each, $178 08.

And recommended that such claims be disallowed, and that permission be granted to withdraw said claims.

Ald. Felton, from the minority of the same Committee, reported relative to the said accounts, and recommended that same be allowed and orders drawn therefor.

The question was taken on the adoption of the minority report offered by Ald. Felton, and the same was lost. —Ayes, 7; Noes, 13.

The majority report offered by Ald. Mills, was then adopted.

Ald. Russell, from the Committee on License, reported against granting a license to Samuel King to sell fresh meat at shop southwest corner of Sixth and Carolina streets.

Ald. Felton moved to refer said report back to the Committee on License for one week. Lost. And the said report was then adopted. Ayes 12, noes 7.

Ald. Howard moved that the Common Council do now resolve itself into the Committee of the Whole for the purpose of the consideration of the Comptroller's Statement. Carried.

Ald. Howard was called to the Chair.

The Committee of the Whole rose, and by their Chairman, Ald. Howard, reported that the Committee of the Whole had had the Comptroller's Statement under consideration, had made some progress therein, but not having gone through therewith, asked leave to sit again. Leave granted.

MOTIONS, RESOLUTIONS AND NOTICES.

Ald. Hanovan moved to reconsider the action of the Council had on the petition of E. W. Hawkins and others, asking for the construction of a crosswalk across Fulton street, on the west side of Hamburgh street. Carried.

The said petition was then referred to the Committee on Side and Crosswalks.

By Ald. Pratt—That the new steam fire engine bought of the Shepard Iron Works in December last, be named the "City of Buffalo," it being the first steam fire engine built in the city of Buffalo.

Ald. Hanovan moved as an amendment that the name "City of Buffalo" be stricken out, and the name "H. O. Perry" inserted in place thereof.

Ald. Wheeler moved the previous question, which was ordered. Ayes, 16; Noes, 2.

The question was then taken on the motion of Ald. Hanovan, and the same was lost.

The said resolution was then adopted.

By Ald. Howard—That the bill entitled "an act providing for the better collection of County taxes, in the city of Buffalo, and for the sale by the Comptroller of said city, of lands in the city, for unpaid taxes," now pending before the State Legislature, meets with the approval of this Council, in the form it was transmitted from this city.

That the Senator from this Senate district and the members of Assembly from this county, be and they are hereby requested to use all honorable and proper means for the passage of said bill into a law, in the form aforesaid.

That the City Clerk be and he is hereby directed to forward such Senator and members of Assembly each with a copy of the foregoing resolutions. Adopted.

By Ald. Yaw—Whereas, the Common Council of this city, on the 5th day of December, 1859, unanimously passed the following preamble and resolutions, viz:

"Whereas, the act entitled 'An act to reduce the fees of the County Clerk of Erie County, and for other purposes,' passed April 16th, 1859, is a fraud upon the wishes of nearly the entire tax-paying population of the County, therefore be it

Resolved, that the Senator from this District and the Members of Assembly from this county, be and they are hereby requested to see that a bill is introduced at an early day after the Legislature of 1860 is organized, providing for the repeal of the above mentioned law, and that the act of March 21st, 1849, making said Clerk's office a salary office, may be re-enacted.

Resolved, that we earnestly request the Legislature of of this State to pass such a law as is contemplated, at an early day."

And whereas, in accordance with the above resolutions a bill has been introduced in the Assembly to take effect Janury 1, 1862, and has been referred to the Committee on International Affairs of Towns and Counties, of which the Hon. J. W. Dwight is Chairman; therefore be it

Resolved, That in the judgment of this Council, the aforesaid bill is just, and the passage of the same is demanded by nearly the entire tax-paying population of Erie County.

Resolved, That the Senator from this District and Members of Assembly from this County be, and they are hereby respectfully requested to do all in their power, consistent with their duties as Honorable members of our Legislature, to procure the passage into a law of said bill.

Resolved, that the City Clerk furnish copies of the foregoing to our Senator and Members of Assembly, and also to the Hon. Jeremiah W. Dwight, Chairman as aforesaid.

Referred to Committee on Finance.

By Ald. Howard—That the Comptroller be, and he is hereby directed to report to this Council at its next meeting, whether since the first day of January, 1860, any certificate of tax sales belonging to the city have been sold or assigned by him to any person or persons, and delivered by him or any person in employ in his office, before the money due thereon has been paid into the City Treasury; and if so, to whom sold and what is the amount, and when sold, and also, that he report to this Council whether any person in his office is or has been allowed to deliver tax certificates sold to third persons until the receipt of the Treasurer for the payment of all the money due thereon into the City Treasury, has been filed in his, the Comptroller's, office. Adopted.

By Ald. Yaw.—

That the Fire Marshal be and he is hereby directed, to advertise for five days in the City Paper for proposals to furnish 2000 feet of the best quality of Philadelphia oak tanned leather and copper riveted hose, this Council reserving the right to accept that bid which it considers most for the interest of the city. Adopted.

By Ald. Beckwith—That the Mayor be requested to detail two policemen for the purposo of preserving order in the vicinity of the Post Office. Referred to Committee on Police.

By Ald. Yaw—That the Committee on Fire and Fire Marshal be authorized to rent two Steam Fire Engines of the Shepard Iron Works, on certain terms and conditions &c. Referred to Committee on Fire.

By Ald. Felton—That Donald McDonnel be appointed Commissioner of Deeds. Referred to Committee on Schools.

The petition of sundry persons asking the Legislature of the State of New York to repeal the act organizing the Superior Court of Buffalo, which said petition was presented to the Council at its meeting held February 4, 1861, and laid upon the table, was taken up.

Ald. Palmer moved that the City Clerk be directed to forward said petition to one of the members of the Legislature from this city.

Ald. Felton moved to lay the motion Ald. Palmer on the table. Lost.

Ald. Allen moved as an amendment to the motion of Ald. Palmer, that said petition be laid on the table and that permission be granted to withdraw same.

Ald. Howard called for a division of the question on the motion made by Ald. Allen.

The question was then taken on that portion of the motion of Ald. Allen "that said petition be laid on the table, and the same was lost. Ayes, 4; Noes, 14.

The question was then taken on the balance of the motion of Ald. Allen, viz: "that permission be granted to withdraw said petition," and the same was lost. Ayes, 6; Noes, 11.

The question was then taken on the motion of Ald. Palmer, and the same was carried.

The Common Council then adjourned to meet next Monday afternoon, Feb. 25th, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 8.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Feb. 25, 1861,
at 2 o'clock, P. M.

Present.—Asaph S. Bemis Esq., President of the Council and Aldermen Allen, Beckwith, Brush, Crowder, Felton, Goembel, Grass, Hanovan, Howard, Howell, Jones, Mills, Palmer, Russell, Rutter, Savage, Scheu, Schwartz, Storck, Wheeler, and Yaw.

Absent—Aldermen Adams, Dorr, Pratt and Walsh.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM THE MAYOR.

Gentlemen—I return without my approval the resolution passed by your body on the 11th day of February, directing an order to be drawn in favor of the City Attorney for eighteen dollars forty-four cents to pay judgment against the city in favor of R. Hornbuckle on "City Attorney's Fund of 1860."

The objection to this resolution is that that the cause of action did not occur, neither was the judgment obtained during the year 1860, consequently there is no authority for drawing an order upon that fund.

F. A. ALBERGER, Mayor.

Referred to Committee on Finance.

FURTHER FROM THE MAYOR.

GENTLEMEN:—I return without my approval the resolution passed by you on the 4th day of February, 1861, directing an order to be drawn on the City Hall and Porter's Fund of 1860, for Four Dollars Seventy-five cents in favor of Harry Hersee.

The objection to this resolution is, that there is no money in the fund with which to pay such order.

F. A. ALBERGER, Mayor.

Filed and subject matter referred to Committee on Claims.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

GENTLEMEN: In compliance with a resolution adopted at your last meeting, of which the following is a copy; viz: "That the Comptroller be, and he is hereby directed to report to this Council at its next meeting, whether since the first day of January, 1860, any certificates of tax sales belonging to the city have been sold or assigned by him to any person or persons, and delivered by him or any person in employ in his office, before the money due thereon has been paid into the City Treasury; and if so, to whom sold and what is the amount, and when sold, and also, that he report to this Council whether any person in his office is or has been allowed to deliver tax certificates sold to third persons until the receipt of the Treasurer for the payment of all the money due thereon into the City Treasury, has been filed in his, the Comptroller's, office," I respectfully report that I have not assigned and delivered any certificates of tax sales, or tax scrip to any party or parties since January 1st, 1860, before payment therefor has been made into the City Treasury. I stated to the clerks in this office, on assuming its duties, that no scrip would be assigned to them, nor has there been any scrip assigned to any clerk or employee in this office since January 1st, 1860, nor have I been applied to, to make such assignments. The instructions of the undersigned were that no scrip should be delivered until payment should be made to the City Treasury for the same, and these instructions have been well understood by the Deputy and clerks in this office. I am not aware of any malpractice or malfeasance on the part of any one connected with this office, except by Michael Danner, Jr. It is well known that Mr. Danner left this office without notice, and absented himself from the city on the 11th ultimo, and I believe it is not known by his family where he may be found. Acting from the knowledge obtained from certain parties that money had been paid him the day before he left, for scrip, I have caused a thorough examination of the tax sale book and cash book to be made, and from such examination it has been ascertained that Mr. Danner has taken scrip, and same as assigned to various parties on the tax sale book, to the amount of.....$1,775 42
And of missing scrip there is..... 1,285 38

Total.....$3,060 80

As a part of Danner's duties he was copying, or rather making out scrip from the sale book, and had not completed the work when he absented himself as stated above. It is possible that he may not have made out or disposed of the scrip covered by the last item, but I fear that he has. The scrip has been taken by the said Danner from this office without authority, after the same had been assigned to parties named and bills made out and awaiting payment into the treasury, and delivered by him to the parties. At least such seems to have been the case in every instance now known. No one can regret this dereliction on the part of Mr. Danner more than the undersigned, and I feel that with gentlemen conversant with the mode of doing business in this Department, I will not be censured for reposing the confidence I did in his integrity and honesty, when it is remembered that up to the time of his leaving not even a suspicion had been breathed against him by any of our citizens knowing and

doing business with him while he was Clerk in the Receiver's office, in the Water Works Company, or while he has been in this office, which, I believe, is about three years. Parties paying him for scrip have been grossly negligent, for it is reasonable to suppose that every business man must know that all funds going to the city must be paid by the party owing into the City Treasury, and the Treasurer's receipt, or a duplicate thereof, must be furnished by the party to this office. This is the mode pointed out by the published ordinances of the city, and if parties interested had have complied with directions so plain, the wrong now complained of could not have been perpetrated. As the subject matter of this communication will likely be referred to the Finance Committee, as it should be, I forbear, at present, from writing more.

ALONZO TANNER, Comptroller.

Filed, and subject matter referred to Committee on Finance.

FURTHER FROM THE COMPTROLLER.

Gentlemen—In my estimate submitted to you on the 28th ult., I omitted to estimate for the filling of the Pest House lot. I would ask the privilege of adding to the Board of Health Department $426 03 for this improvement.

The Treasurer thinks that the estimate for interest on deposits ought not to be estimated above $5,000. The amount of interest received during the fiscal year closing Dec. 31, 1860, was $6,185. Lest the resources for 1861 should be over estimated, I recommend that the estimate for interest be $5,000, and the unexpended balances of 1860 be estimated at $7,000. Making these deductions will leave the estimated resources at $84,750. Of principal to be paid on funded debt, the $11,000 principal for bonds issued Oct. 20, 1852, may be stricken out, as parties are ready to take the bonds and hold them on receiving the interest as same becomes due. Leaving out this sum, it will be necessary to add $770 to the item $385, making total amount of interest to be raised, less amount provided for, $38,777 95.

ALONZO TANNER, Comptroller.

Filed, and subject matter referred to the Committee of the Whole.

FROM THE CITY ATTORNEY.

I hereby report that the judgement of the Justice Court in favor of Augustus Paul against the city of Buffalo, has been affirmed by the County Court. This action was brought to recover for services rendered in the office of the Receiver of Taxes. I recommend that an appeal be taken from said judgment.

I also report that suits were commenced against the city on the 21st inst., by Morris Helmes, Henry V. Soule, Patrick Lynn and Valentine Vogle, to recover for alleged services as Policemen from August 19, 1860, to January 4, 1861; payment of these claims was recently refused by your honorable body, under my advice. I recommend that the said actions be defended.

GEORGE WADSWORTH, City Attorney.

Filed, and Attorney directed to appeal suit of A. Paul and to defend other suits named.

FROM THE SUPERINTENDENT OF SCHOOLS.

Gentlemen—In my annual report, communicated to you at your last meeting, I mentioned, briefly, the condition of Public School No. 15. I desire to call attention to it in detail.

The school building, on Oak street above Goodell, though not centrally located, is not at such a distance from any part of the district as to involve hardship. The lot is spacious, and the building itself in fair repair and substantial. It was erected, however, for only two departments, and the growing population of the district requiring a third, some years since a cottage was rented by this department, of P. A. Balcom, at an annual rent of $208, for the purpose of a Primary Department. This cottage was built for a residence, and is cut up into four small rooms, the largest not more than 12 by 15 in size. In these four low, badly ventilated and over-heated rooms, 164 children of tender age have been in daily attendance during 1860, being more than 40 to each room on the daily average. There are no desks and no room for any, the children being seated on rough benches. The teachers in charge, who have been faithful in proportion to the difficulty of their position, are the only redeeming features of the Department, which, without exaggeration, would be indicted as a nuisance, were its condition known to the proper authorities.

I have hoped that the district would take some action. A year since, nearly, a petition was presented to the Common Council asking for relief, but as it was opposed by another having on it more names, no action was taken. Some differences exist in the district as to location; some urging a location more central, and others being in favor of making an addition to the main building on Oak street. Still another class are opposed to any school at all, and it is they who furnish the remonstrances.

For the sake of securing action of some kind, I recommend that the Superintendent of Schools be authorized to procure plans and estimates for building a Primary Department on the present school lot, in connection with the other departments, and also, estimates as to the probable cost of building a school for these departments in some other location.

SANFORD B. HUNT.
Superintendent of Schools.

Filed, and subject matter referred to Committee on Schools.

FURTHER FROM THE SUPERINTENDENT OF SCHOOLS.

In anticipation of the time for preparing the annual estimate for 1861, I hereby recommend that the following rates be established as the salaries to be paid teachers in the public schools, from May 1st, 1861, to May 1st, 1862:

Principals of graded schools	$900
" " departments	350
" " schools of one department	350
" " Nos. 9 and 33	600
" " " 27 and 28	450
Assistants in departments	275
Principal of Central School	1125
Assistant Principal of Central School	900
Assistants in " "	375

These were the salaries in force during the first term of 1860. They were reduced on the 1st of May to $800 for principals of graded schools, $325 for principals of departments and of schools of one department, $225 for assistants, $1000 for the principal of the Central School, $800 for his male assistant, and $350 for assistants in the Central School.

The increase in salaries I propose, if adopted by the Common Council, will occasion an increase in the cost of maintaining the School Department, over the amount estimated by the Comptroller, for the year 1861, of $4,153 83.

I do not propose, in this connection, to enter into argument, but it is my duty as the guardian of the interests of the schools, to state what I know to be the fact,—that the welfare and efficiency of the schools, as well as what may fairly be considered justice to the teachers, demands this moderate increase in the salaries. During two years the expenditures of the Department have been unsparingly cut down, until for the year 1860 they were $46,300 06 less than in 1858. The change has been too rapid and revolutionary, and I have anything but a feeling of pride in calling attention to what is called the remarkable economy of my administration. I cannot expect, if the present system be continued, that I shall be able to transmit the schools to my successor in office in as good condition as I found them.

SANFORD B. HUNT, Supt. of Schools.

Laid on the table for the present.

FROM THE CITY SURVEYOR.

In compliance with your resolution of February 18th, 1861, I submit herewith a plan and cross sections of Liberty street, showing its present condition; also, that part of the street which has been washed away. The portion of the street left is only about 15 feet wide, the remaining 25 feet, which makes up the proper width of the street (40 feet) being embraced by the slope of the Clark and Skinner Canal bank, and extending into the water about 8 feet, as shown by the annexed plan.

Very Respectfully,

PETER EMSLIE,

City Surveyor.

Laid on the table to be taken up under order of reports from the Committee on Streets.

FROM THE FIRE MARSHAL.

Gentlemen,—I beg leave to report to your honorable body the condition of the two Hook & Ladder trucks and aparatus. The trucks are nearly worn out—require repairs every time they go out—and, in my opinion, cannot be relied upon for any length of time.

There is a very short supply of ladders, many of them much worn and unsafe. There are not good reliable ladders enough on the two trucks for one efficient company.

D. KISSOCK, Fire Marshal.

Referred to Committee on Fire.

FURTHER FROM THE FIRE MARSHAL.

Gentlemen,—The walls of Townsend Hall building are in a very unsafe and dangerous condition, and should be taken down immediately.

D. KISSOCK, Fire Marshal.

Filed, and Fire Marshal directed to notify owner or owners of said building, to put the walls thereof in a safe condition immediately, or to take same down.

Assessment Roll No. 2352, for repairing the sidewalk on the southwest side of Twelfth street, between Hudson and Pennsylvania streets, amount $59, the time for the consideration of which had been postponed, until to-day, was taken up and opportunity given to parties interested to be heard, and no person appearing, Ald. Howard moved that said roll be confirmed.

Ald. Felton was called to the chair.

Ald. Bemis moved that the further consideration of said roll be postponed for one week. Carried.

The President resumed the Chair.

Assesment Roll No. 2363, for repairing and maintaining the public well and pump, located at the corner of William and Pine streets, amount $189, the time for the consideration of which and of the objections thereto had been fixed for to day, was taken up, and opportunity given to parties interested to be heard, and no person appearing, Ald. Swartz moved that said roll be confirmed.

Ald. Howard moved as an amendment that said assessment roll be referred back to the City Assessors for reconsideration. Carried.

And the motion of Ald. Swartz as so amended was then carried.

The following communication was received:

Gentlemen—On behalf of the working men and operatives of the city of Buffalo, irrespective of trades, professions or political parties, the subscriber would most respectfully request your honorable body, as the representatives of the working classes, they being the majority of the electors and taxpayers of this city, that you will, as a body corporate, sign the annexed petition of working men to the Senate and House of Representatives of the State of New York in Legislature convened, as they feel assured that the passage of an act to prevent the payment of wages in orders would prove beneficial not only to the working classes, but to each and all of our citizens.

All of which is respectfully submitted by the subscriber in waiting with said petition for the action of your honorable body.

Yours, Respectfully,

WM. F. BEAMAN.

Ald. Palmer moved to refer same to the Committee on Sanitary Measures.

Ald. Howell moved as an amendment, that the messenger of the Common Council be directed to submit the petition accompanying the said communication to each member of the Council, so that such members, as desire, may have an opportunity to sign same.

Ald. Howard moved as an amendment to the motion of Ald. Palmer, that said communication and accompanying petition be referred to the Committee on Finance. Lost. Ayes, 3; Noes, 15.

Ald. Howard then moved that the Council do now take a recess for ten minutes, for the purpose of giving such members of the Council as desire to sign said petition an opportunity to do so. Carried.

The Common Council then took a recess for ten minutes.

On the re-assembling of the Council, after the recess, there were

Present—Asaph S. Bemis, Esq., President of the Council, and Ald. Allen, Brush, Crowder, Felton, Grass, Hannovan, Howard, Howell, Jones, Mills, Palmer, Russell, Rutter, Savage, Schwartz, Storck, Wheeler, and Yaw.

Absent—Ald. Adams, Beckwith, Dorr, Goembel, Pratt, Scheu, and Walsh.

PETITIONS.

Of Julia A. Nuhn, to have tax sale cancelled.

Of Henry Hart, to have tax remitted. Referred to Committee on Finance.

Of Charles J. Thoma, to be appointed Commissioner of Deeds. Referred to Committee on Schools.

Of Thomas Flynn, to be appointed fireman of Steam Fire Engine.

Of C. G. Matheas, for city to use linen hose for Fire Department. Referred to Committee on Fire.

Of Henry Fogelsonger, for fireman's certificate. Referred to Fire Commissioners with power.

ACCOUNTS REFERRED.

E. Hurlbert, for wood for schools.

J. W. Barker, for cleaning and repairs to school house No. 32.

E. T. Benedict, for brooms for Dist. No. 5. Referred to to Committe on Schools.

P. G. Lorenz, for sundries for Fire Department. Referred to Committee on Fire.

Charles Groben, for lighting, cleaning and repairing Lamps in February, 1861. Referred to Committee on Public Lamps.

G. P. Stevenson & Co., for carriages, &c., at reception of Hon. Abraham Lincoln, President elect. Referred to the Special Committee on the reception of Mr. Lincoln.

REPORTS OF COMMITTEES.

Ald. Howard, from the Committee on Finance, reported in favor of the adoption of the following resolutions:

That upon the filing of the petition of Henry Morse, together with the proofs accompanying same, with the Comptroller, and the execution of a bond by the said petitioner, conditioned to indemnify the city against all loss or damage, or claim for such loss or damage, in consequence of cancelling the sale hereinafter mentioned, the said Comptroller be and he is hereby authorized to cancel of record on the books in his office, the tax sale of April 24th, 1856, of lot on easterly side of Niagara street, commencing 78 feet south of Huron street, being 50 feet front, and in depth to Huron street, to Wm. Ring for the sum of $3 81. Adopted.

That upon filing the petition of John T. Gardner, with the accompanying proofs, with the Comptroller, in which said Gardner asks for a declaration of sale on certificate of tax sale No. 4560, of the sale of June 1st, 1859, of lot on south side of Abbott street, part of lot 50, sub-div. lot 73 and 74, lying on the westerly corner of White's Corners plank road, being 142 feet front by 145 feet deep, the said Comptroller execute and deliver to said Gardner a declaration of sale thereon, in the form prescribed by the Charter. Adopted.

Ald. Palmer, from the Committee on Streets, reported in favor of the adoption of the following resolutions:

That the Canal Board of the State of New York be respectfully requested to take such immediate action as may be necessary to restore such portion of Liberty street, in this city, as has been washed into the Clark and Skinner Canal Slip, and to prevent any portion of said street from being hereafter washed into said Canal Slip.

That the City Clerk be directed to forward forthwith, a certified copy of the foregoing resolution, together with the communication from the City Surveyor in relation to said Liberty street, and the map accompanying same, to the Canal Board of this State. Adopted.

Ald. Palmer called up the following report presented to the Council at its meeting held Feb. 18th, and laid upon the table for one week, viz:

That the following resolution adopted by the Common Council at its meeting held Nov. 26, 1860, to wit:

"That the Common Council of the City of Buffalo intend to order Buffalo Creek widened, straightened and enlarged at the Toll Bridge on Ohio street, and a wood or iron swing bridge, with double swing and stone abutments, constructed across said enlargement at said Toll Bridge, and that the City Clerk cause the necessary notice of such intention to be published," be and the same is hereby repealed.

That the Common Council of the City of Buffalo intend to order Buffalo Creek widened, straightened and enlarged, at the Toll Bridge, on Ohio street, and the necessary masonry and crib work constructed for the construction of a swing bridge across said proposed enlargement, and that the necessary notice be published.

That the Common Council of the City of Buffalo intend to order a Swing Bridge superstructure, constructed across the proposed enlargement of Buffalo Creek, at the Toll Bridge, on Ohio street, and that the necessary notice be given.

Ald. Felton was called to the chair.

Ald. Bemis moved that the report called up by Ald. Palmer, be laid on the table for one week, to be taken up under order of reports from Committee on Streets. Carried.

The President resumed the chair.

Ald. Brush, from the Committee on Sewers reported in favor of allowing the account of John Wannop, for repairing sewer and receiver, in alley running south from Seneca street, between Washington and Main streets, amount $9 75, and of drawing an order for same. Adopted.

Also, in favor of the adoption of the following resolution:

That an order be drawn on the Local Improvement Fund in favor of John Wannop for two 83-100 dollars, in full of his account for repairing sewer at the northwest corner of Washington and Goodell streets, and that so much of the resolution passed December 26th, 1860, directing an order be drawn in favor of said Wannop, for like amount, be and the same is hereby rescinded. Adopted. Ayes, 19; Noes, 0.

Ald. Swartz, from the Committee on Side and Cross Walks, reported in favor of the adoption of the following resolutions:

That the owners of land on the east side of Roos alley, between the southeast side of Church alley and the northeast side of Batavia street, cause a sidewalk to be constructed in front of their respective lots, two feet wide, of good pine plank 2 inches thick, within 10 days, and that if not done in that time, that the Street Commissioner cause the same to be done at an expense not to exceed $25, and report. Adopted.

That the Street Commissioner be directed to cause a plank crosswalk to be constructed across Fulton street, on the west side of Alabama street, at an expense not to exceed $10, and report. Adopted.

That the Street Commissioner be directed to cause a plank crosswalk to be constructed across Locust street on the north side of Cherry street, at an expense not to exceed $8, and report. Adopted.

That the Street Commissioner be directed to cause the crosswalk across Goodell street, on the north side of Cherry street, to be repaired at an expense not to exceed $7, and report. Adopted.

Ald. Yaw, from the Committee on Fire, reported in favor of allowing the following accounts and of drawing orders for the same:—

James Howells, for use of horses in month of December, 1860, for steam fire-engine—$20 25.

Same, for wood for Fire Department—$9 50. Adopted.

Also, in favor of the adoption of the following resolutions:—

That permission be and is hereby granted to J. O. Rob-

son to repair his house, known as 121 South Division street, by raising the roof thereof, so as to make a two story building of same, under the direction of the Fire Marshal, and subject to the further order of the Council. Adopted. Ayes 19 ; Noes 0.

That the Fire Marshal be and he is hereby authorized to cause the south wall of the building situate at the corner of Mohawk and Pearl streets (the lower part of which is occupied as Police Station No. 3) to be repaired so as to make the same safe, and report the expense thereof to this Council. Adopted.

That the Fire Committee and Fire Marshal be, and they are hereby authorized to rent two steam fire engines of the Shepard Iron works for the term of four months, at the rent of two hundred and fifty dollars each for the said term of four months—and if at the end of that time the said engines are satisfactory, then that the said above mentioned parties be and they are hereby authorized to rent them for the further term of eight months at the rent of twelve hundred and fifty dollars each for the said term of eight months upon the express condition that if at the end of the last mentioned term of eight months, within three months thereafter, this Council thinks proper to purchase the said engines, then the whole amount which has been paid for the rent of the said engines, shall be applied as a partial payment for the said engines, and the further sum of $3,000 shall then be paid, which sum shall be in full payment for both the said engines, and they shall then become the property of the city of Buffalo. Adopted.

Ald. Howell, from the Committee on Claims, reported in favor of the adoption of the following resolution :

That the account of F. G. Pattison, in which he claims the sum of $71 25, for taking affidavits in the assessors' office, be disallowed, for the reason that the sum is rendered in gross, and not in items, so that this Council can see or ascertain whether the same, or any portion of it, is a proper charge against the city or not; and that the said claimant be requested to present his account in items, in detail, so that the Council may examine into the same.

Ald. Palmer moved to refer the same back to the Committee on Claims. Carried.

Also, reported in favor of allowing the following account, and of drawing an order for same, viz :

Clapp, Mathews & Co., for printing for assessors—$7 50. Adopted.

Ald. Mills, from the Committee on Police, reported in favor of allowing the account of J. I. Richards, for medical attendance at office of Chief of Police—amount $3—and of drawing an order for same. Adopted.

Also, in favor of the adoption of the following resolution :

That the Mayor be requested to detail two policemen to the special duty of preserving order in the vicinity of the Post Office, during the day-time and until the close of the office in the evening. Adopted. Ayes, 16 ; Noes, 2.

Ald. Storck, from the Committee on Markets, reported in favor of the adoption of the following resolution :

That the Committee on Markets be authorized to publish a notice in the official paper for five days, that said Committee will, on a certain day, to be named in said notice, lease, for the term of one year, with the privilege of five years, to the highest bidder therefor, or to such other bidder as in the opinion of said Committee will be most advantagous for the interests of the city, the following described premises, to wit: Land lying on the north side of Scott street, commencing 127 feet east of Michigan street, being 150 feet front on Scott street by 180 feet in depth to the Main and Hamburgh Street Canal. And that said Committee on Markets be and they are hereby authorized to lease the said premises above described in accordance with the notice hereby authorized to be given.

Ald. Howell moved that said resolution be laid on the table for one week, to be taken up under order of reports from the Committee on Markets, and that the City Attorney be requested to report to the Council his opinion as to the right or power of the Council to lease the land described therein. Carried.

By Ald Allen—The Committee on Wharves, Harbors and Ferries, to whom was referred the petition of Silas Hemmenway, asking for a license to operate a ferry across and over the Niagara River, from sundry streets in the city of Buffalo to Fort Erie on the Canada side, report that they have had the same under consideration, and after due deliberation submit the following as their action, for the consideration of the Council.

Resolved, That this Council intend to grant the right and privilege of operating a steam ferry, from the foot of Ferry or Albany street, in the City of Buffalo, across the Niagara River to some point on the Canada side, under the following terms, conditions and stipulations; the said grant to be made to such party or parties as shall secure a like grant from the corporation of Fort Erie in Canada.

First. The party obtaining the grant shall prepare suitable approaches to the said ferry, whether the same shall start from the foot of Ferry, Albany or Breckenridge street, on a grade not exceeding 7 feet in every 100 feet, said approach or road to be planked, paved or macadamized, and to be kept in good repair by the party obtaining the grant.

Second. The ferry boat or boats, as the case may be, used in the passage of persons and property over said river, under the provisions of this grant, shall be well arranged for the convenience of passengers and the transportation of property, and shall be at least 90 feet long, 30 feet wide over all, and of at least 100 tons burthen, and shall be propelled by an engine of at least 40 horse power.

Third. That the person or persons receiving this grant will be required to run said ferry-boat each day from sunrise to eight o'clock in the evening, from 1st April until 1st November, and until seven o'clock from 1st November to April 1st, making a round trip every twenty minutes, and thereafter every sixty minutes until twelve o'clock P.M., or until the last car on the Niagara Street Railroad shall have arrived at the crossing of the street from the foot of which said ferry shall start, and the passengers, if any, shall have reasonable time to arrive on board said ferry-boat.

Fourth. The rates of ferriage, during the term of the within grant, shall not exceed the following named sums,

For each foot passenger crossing said river, 5 cents.

For each horse and rider crossing said river, 10 cents.

For each vehicle and driver, drawn by one horse, 15 cents.

For each vehicle and driver, drawn by two horses, 25 cents.

For each vehicle and driver, drawn by four horses, 35 cents.

For each passenger in any vehicle, except the driver, 5 cents.

The ferry-boat shall furnish passengers, whenever they shall apply, with tickets over the ferry and back, and two Niagara Street Railroad tickets, for 16 cents; and shall sell ferry tickets in packages of twenty-five for one dollar.

For each barrel, bulk, 5 cents.

Grain in bags, except when loaded on a wagon or other vehicle, ½ cent per bushel.

All articles not enumerated per barrel, bulk, 5 cents.

Cattle, horses, or mules, 5 cents.

Hogs and sheep on foot, 2 cents.

Fifth—The Common Council hereby reserves the right to alter, amend, or repeal the above act, and nothing in this grant contained shall interfere with any action of the Council in relation to the building of any bridge over said river.

Sixth—The time for which such grant shall be given by this Council, is ten years from the passage of this act.

Seventh—The proposed grantee or grantees, before receiving a grant to operate said ferry, shall enter into a bond in the sum of five thousand dollars, with sureties to be approved by the Common Council and filed in the Comptroller's office, conditional to place upon such ferry a boat of the dimensions above described, by the first day of July, 1861, and to comply in all respects with the terms, conditions and stipulations heretofore named, and that may be hereafter prescribed, under any right reserved by this grant by the Common Council.

Eighth—Sealed proposals will be received at the City Clerk's office for 10 days after the passage of this act, for the operating of said Ferry, and the sum proposed to be paid for such right, and said proposals shall be opened on the 20th day of March, 1861, in presence of the Committee on Wharves, Harbors and Ferries, and the Committee of the Council of Fort Erie. The said grant shall be given to the party making a bid most advantageous to the City, all things considered.

Ninth—The party or parties taking the Ferry contract will be required to give bonds to build (if not done by the State before that time) a suitable swing bridge by the 1st of November next.

Ald. Allen moved that said report be laid on the table for one week, to be taken up under order of reports from Committee on Wharves, Harbors and Ferries, and that same be printed. Carried.

Ald. Crowder, from the Committee on New Territory reported in favor of the adoption of the following resolutions:

That the bridge across Smith street, near the junction of the Abbott Road, be replaced and repaired, at an expense not exceeding $6, and that the Street Commissioner is hereby authorized to cause the same to be done, and report the expense. Adopted.

That the bridge across the ravine on Elk street, about 400 feet easterly from Dole street, be replaced on its foundation and repaired, at an expense not exceeding $12, and that the Street Commissioner is hereby authorized to cause the same to be done, and report the expense. Adopted.

That the owners of land on the easterly side of Jefferson street, between North Division and Eagle streets, cause a sidewalk to be repaired in front of their respective lots, four feet wide, by substituting good new hemlock plank 3 inches thick, where necessary, within 5 days after notice from the Street Commissioner, under direction of the Street Commissioner, and if not done within that time that the Street Commissioner cause the same to be done at an expense not to exceed $10 and report. Adopted.

Also, in favor of directing the City Assessors to make assessments as follows:

Assess $19 74, for constructing a plank sidewalk on the west side of Dearborn street, between Hamilton and Austin streets. Adopted.

Assess $10 56 for constructing a plank sidewalk on the west side of Dearborn street, between Amherst and Hamilton streets. Adopted.

Assess $6 for constructing a plank sidewalk on the northerly side of Parish street at its intersection with Niagara street, on both sides of Niagara street from the sidewalk superstructure on both sides of Niagara street, to the curbing on both sides of the carriageway in said Niagara street. Adopted.

Assess $8 for constructing a plank sidewalk on the northerly side of Amherst street, from the sidewalk superstructure on the easterly side of Niagara street to the curbing on the easterly side of the carriageway in Niagara street. Adopted.

Assess $5 76 for constructing a plank sidewalk on both sides of South street, at its intersection with Niagara street, on both sides of Niagara street, from the sidewalk superstructure on both sides of Niagara street, to the curbing on both sides of the carriageway on said Niagara street. Adopted.

Also, in favor of allowing the following accounts, and of drawing orders for same;

Lauren Williams, for repairing wood culvert across Best street, on the easterly side of Ellicott street—$6 00.

Same, for repairing wood culvert across Best street, on the westerly side of Ellicott street—$6 00.

William Farmer, Jr., for constructing a wood sluice across Delaware street, on the southerly side of Bouck Avenue, from the westerly line of Delaware street to the gulf a few rods east—$48 82. Adopted.

Also, in favor of directing the City Assessors to make assessments as follows:

Assess $48 25, for grading the sidewalk on the southerly side of Ferry street, between the westerly curb line of Niagara street and the Railroad bridge. Adopted.

Assess $8 for constructing a plank sidewalk, on the southerly side of Ferry street, between Niagara street and the Erie Canal, and that the resolution adopted Nov. 12, 1860, directing the City Assessors to assess $56 25, for constructing a sidewalk, on the southerly side of Ferry street, between the above named points, be rescinded. Adopted. Ayes, 19; Noes, 0.

Also, in favor of the adoption of the following resolutions:

That the Street Commissioner is hereby authorized and directed to advertise five days, in the city paper for proposals to repair the Bridge across Cazenovia Creek, on the Cazenovia road, and that the City Surveyor furnish the Street Commissioner with the necessary plan. Adopted.

That orders be drawn on the fund, for repairing Linwood Avenue, between Utica and Bryant streets, in favor of David Walker, Jr., for forty dollars, in full, of said Walker's account for said work, presented to this Council, September 24th, 1860. Adopted.

Ald. Jones was excused from further attendance at this meeting of the Council.

MOTIONS, RESOLUTIONS AND NOTICES.

Ald. Mills moved that when this Council adjourns, it adjourn to meet next Thursday afternoon, at 2 o'clock, for the purpose of the consideration of the Comptroller's statement.

Ald. Beckwith moved to make the time Friday, at 2 o'clock. Lost.

Ald. Howard, as an amendment to the motion of Ald. Mills, moved that when this Council adjourns it adjourn to meet to-morrow (Tuesday) afternoon, at 2 o'clock.—Carried.

And the motion of Ald. Mills, as so amended, was then carried.

By Ald. Yaw—That the next steam fire engine put in service by this city be located in the engine house on Niagara, near Mohawk street, last occupied by Engine Company No. 6; and that the Fire Marshal prepare a plan and specifications—to be approved by the Fire Committee—for a barn to be erected on the same lot, in the rear of the said engine house, and advertise five days in the official paper for proposals to build the said barn, and report the bids to this Council.

Ald. Hanovan moved to refer said resolution to the Committee on Fire. Lost.

And said resolution was then adopted.

By Ald. Rutter—That Anthony Brosso be hereby appointed by this council Keeper of Heacock Park, situated at Martin's Corners, from the present time until the first day of January next, without pay from the city. Adopted.

By Ald. Felton—That the resolution reported by the Committee on Water, relative to the holding of a special election in the 12th Ward, for Alderman be now taken from the table.

Ald. Howard moved to lay said resolution on the table. Carried. Ayes, 13; Noes, 7.

By Ald. Mills—That the Fire Committee take into consideration some plan for the better organization of the Fire Department and report the same to this Council at its earliest convenience, and that the Fire Commissioners be requested to co-operate with the Fire Committee. Adopted.

By Ald. Felton—That Wm. B. Hoyt be appointed Commissioner of Deeds. Referred to Committee on Schools.

By Ald. Crowder—That the Auditor and City Clerk be directed to prepare specimens of all the different kinds and quality of stationery and binding to be done for the city, required in the different departments of the City Government, and they cause notice to be published in the city paper, for ten days, for sealed proposals to furnish all the necessary stationery and such binding for the different departments, (referring to such specimens), such proposals to name a definite price for a specific quality of each kinds, to be furnished without regard to the whole quantity required for any one department or all the departments; that each separate bid be accompanied by the affidavit of the bidder that he is not interested in any other bid made for the same material, and that no other person is interested in the bid thus made, except those whose names are subscribed thereto, and that the Auditor and City Clerk be directed to contract with the party or parties whose bids for furnishing such stationary and such binding shall be the lowest, in the aggregate or separately, as they shall deem best for the interest of the city, provided such bidder shall give satisfactory security for the performance of their contract. Adopted.

By Ald. Howard—That the following proposed amendment to the City Charter be endorsed by this Council, viz:

Section 9, of Title 3, of said act is hereby amended by adding subdivision 5, to read as follows:

Section 9. To license, regulate and prohibit intelligence offices, concerts, concert halls, to prohibit dance-houses and public dancing, and to prohibit or regulate the playing or use of musical instruments on the Sabbath.

Ald. Swartz moved to lay the same on the table. Carried.

By Ald. Howard—

Resolved, That the City Clerk forward the above to the Hon. S. V. R. Watson, and request him to secure its passage with the amendments now before the Legislature.

Ald. Howard withdrew the said resolution.

Ald. Howell renewed the said resolution.

Ald. Howell moved the previous question, which was not ordered.

Ald. Allen moved to lay said resolution on the table. Lost. And said resolution was then lost.

The Common Council then adjourned to meet to-morrow, (Tuesday,) February 26, 1861, at 2 o'clock, P. M.

O. F. PRESBREY, City Clerk

IN COMMON COUNCIL,
BUFFALO, Tuesday, Feb. 26, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council, and Ald. Allen, Beckwith, Brush, Felton, Grass, Hanovan, Howard, Howell, Jones, Mills, Savage, Storck, Wheeler and Yaw.

Absent—Ald. Adams, Crowder, Dorr, Goembel, Palmer, Pratt, Russell, Rutter, Scheu, Schwartz and Walsh.

The reading of the minutes of the last meeting was dispensed with.

Ald. Howard moved that the Common Council do now resolve itself into the Committee of the Whole for the purpose of the further consideration of the Comptroller's Statement. Carried.

Ald. Beckwith was called to the Chair.

The Committee of the Whole rose and by their Chairman, Ald. Beckwith, reported that the Committee of the Whole had had the Comptroller's statement under consideration, had made some progress therein, but not having gone through therewith, asked leave to sit again. Leave granted.

The Common Council then adjourned to meet next Monday afternoon, March 4th, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 9.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, March 4th 1861,
at 2 o'clock, P. M.

Present.—Asaph S. Bemis Esq , President of the Council and Aldermen Adams, Allen, Beckwith, Brush, Crowder, Dorr, Felton, Goembel, Grass, Hanovan, Howard, Howell, Jones, Mills, Palmer, Pratt, Russell, Rutter, Savage, Scheu, Schwartz, Storck and Wheeler.

Absent—Aldermen Walsh and Yaw.

The minutes of the meetings, held February 25th and 26th, 1861, were approved.

COMMUNICATIONS FROM THE MAYOR.

GENTLEMEN.—I have been served with a summons to appear and answer to a complaint in a certain action in the Superior Court of the City of Buffalo, wherein Franklin Sidway is plaintiff and the City of Buffalo is defendant.

Respectfully,
F. A. ALBERGER, Mayor.

Filed and City Attorney directed to defend it, if in his opinion, it is advisable.

FURTHER FROM THE MAYOR.

GENTLEMEN : I deem it my duty to call your attention to the alarming increase of fires since the 1st January, 1861. There can be but little doubt that the increase is attributable to the work of incendiaries, and in my opinion some course of action should be taken by your honorable body, by which the perpetrators may be detected.

I would therefore recommend your honorable body, to rescind the action taken by you, offering a reward for the detection of the party or parties who set on fire the store of Messrs. James Adams & Co., and offer a general reward for any person or persons who may be detected in committing the crime of incendiarism, for the year 1861.

I would also recommend that a reward be offered for the detection of any person or persons, who have, or shall be guilty of cutting or damaging the hose or other property belonging to the Fire Department of the City of Buffalo, during the year 1861.

Respectfully,
F. A. ALBERGER, Mayor.

Filed and subject matter referred to the Committee on Fire

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

GENTLEMEN :—On the 15th instant there will be due six months' interest on $31,000 6 per cent bonds issued Dec. 31, 1853, for Central School property, and payable at this office, and it is recommended that an order for $930 be drawn in my favor, payable out of the General Fund for 1860 estimate, for interest on the funded debt with which to pay such interest.

ALONZO TANNER, Comptroller.

Filed and order directed to be drawn.

FROM THE CITY ATTORNEY.

I hereby report that I have examined the claim of Mr. James O'Brian against the city for rent of premises on Carroll street. The lease expired on the 1st of May, 1860, previous to which time, as I am informed, the Fire Marshall had caused all the property belonging to the city to be removed from the main or ground floor of the building, and notice to be given to Mr. O'Brian that the city had vacated the property ; Mr. O'Brian states that no such notice was given to him.

It appears, however, that during the life of said lease, the Superintendent of Schools had caused some school house furniture, which had been removed from one of the school houses, to be stored in the loft of said building and that that property was not removed on the 1st of May, but that it, or a portion thereof, still remains in the loft. I am also informed that during the last year, certain portions of said school house property have been removed from said building, and a part of the property so removed was returned to the same place.

Upon this state of facts Mr. O'Brian claims that the city has continued in the use and occupation of his building, and is liable to pay the rent reserved by the lease since the 1st of May, 1860.

I am informed, however, that the main portion of the building has been used by other parties, for other purposes, with the knowledge of Mr. O'Brian, since the city property was removed therefrom.

A lesee who holds over and continues in the use and occupation of the leased premises after the expiration of his term, is liable to pay what such use and occupation is reasonably worth, which is not necessarily the amount specified in the lease, but may be more or less, as shall be determined by proof.

The only question in this case is a question of fact, and not of law, viz: Did the city hold over after the expiration of its lease? And in determining that question, proof of the actions and intent of the parties is admissible. If the city did hold over, it must pay a reasonable rent ; if it did not, it is not liable to pay any sum whatever. I cannot undertake to predict what the verdict of

a jury would be in this case. Your honorable body can decide the question upon the facts stated, as well, or better than I can do.

I also report that I have examined the claim made against the city by Charles Gardner, for services as Watch House Justice, and find that Mr. Gardner received, in fines, $1,753 25, and from the City Treasurer $225, making $1,978 25, in all: that he has paid $1,247 to the Treasurer: that he has charged the city $5 25 discount on uncurrent money, and $11 for counterfeit and broken bank bills, taken from prisoners for fines; that he has charged, the City $750 for attendance at Police Stations Nos. 1 and 3, during the year 1860, being $1 per day for each station and $125 for 50 days service in 1860, at Station Houses Nos. 2 and 4, and $14 for 7 days services in 1861, at Station Houses Nos. 1 and 3, making in all, of moneys charged and paid to the city, $2,125 25. Mr. Gardner was appointed Watch House Justice January 2d, 1860. His salary was fixed by the Common Council, on that day, at $300 per year. He claims that he is not bound to accept said sum of $300 in full for his services, for the reason that the same is not a reasonable compensation, and that the sums charged by him to the city are no more than such reasonable compensation. He also claims that he could not refuse to perform the duties of the office, on the ground of the inadequacy of the compensation, because the same are a part of his duties as a Justice of the Peace, and that a neglect or refusal on his part would subject him to an indictment for nonfeasance in office.

It is well known that a former Justice of the Peace was indicted, tried and convicted for refusing to perform the duties of Watch House Justice at the salary fixed by the Council. The Charter of 1853 provided that the Common Council should "from time to time designate one or more of the Justices of the Peace of the city to attend the public station houses, and shall pay them a reasonable compensation for their services." It was under this law that the difficulty arose between the city and the various Justices of the Peace in 1855, and I presume that the present action of Mr. Gardner is based upon the supposition that the law above referred to is still in force. If that were so, the question would be one of fact only, as to what is a reasonable compensation, which question a jury alone could determine; but in 1856 the Charter was amended, and instead of requiring the payment of a reasonable compensation, it now provides that the Watch House Justices shall be paid "for their services such compensation as the Common Council shall determine."

I am of the opinion that the amendment of 1856 confers upon the Common Council absolute power to fix the salaries of the Watch House Justices, and that Justices of the Peace who do duty at the Station Houses cannot legally claim any more than the amount fixed by the Council, and therefore that Mr. Gardner is not entitled to the sum claimed by him, nor to any compensation for services as Watch House Justice, except at the rate of $300 per year.

GEORGE WADSWORTH, City Attorney.

Filed, and subject matter of that portion relating to claim of Jas. O'Brian referred to the Committee on Finance together with the City Attorney, and subject matter of the balance of said communication referred to Committee on Police, together with the City Attorney.

FURTHER FROM THE CITY ATTORNEY.

In compliance with the directions of your honorable body, I hereby report that I have examined "as to the right or power of the Council to lease the land on the north side of Scott street, commencing 127 feet east of Michigan street, being 150 feet front on Scott street, by 180 feet in depth to the Main and Hamburgh street Canal," and find that said land was taken by the City in the year 1852, by the regular legal proceedings under the Charter, for a "public ground," and was paid for by local assessment upon the property benefited thereby.

I am of opinion that you possess no power to lease, or make any disposition of said property, which shall divert it from the use for which it was taken, or destroy its character as a "public ground."

Respectfully submitted,

GEORGE WADSWORTH,

City Attorney.

Filed, and subject matter referred to the Committee on Markets.

FROM THE STREET COMMISSIONER.

GENTLEMEN:—In compliance with your direction the undersigned advertised for proposals for carting the dirt, &c., from the paved streets and alleys of the city for one, three and five years, and has received the following:

		1 year.	3 years.	5 years.
Frederick Kuehner, per year	..	$3,000	$9,500	$1,600
Thomas Sims, "	..	3,200	10 500	16,000
James Duffey & Co., "	..	3 332	3,469	3,668
William Mensch, "	..	3,400	4,000	
Moses Baker, "	..	2,900	2,650	2,600
Frederick Stutzman, "	.	3,300	3,900	
Ephraim Sterberg, "	..	3,800	3,800	3,900
Jacob Durrenberger, "	..	2,850		
Jacob Durrenberger, jr. "	..	2,600		
Isaac Sanford, "	..	3,550	3,400	3,300
Nathaniel H. Brush, "	..	4,680	5,400	5,600
Carl Horning, "	..	2,995 66	3 200	3,500

The sureties are attached to the several proposals, and are herewith submitted.

L. J. WATERS, Street Commissioner.

Referred to Committee on Streets.

FROM THE FIRE MARSHAL.

GENTLEMEN: On the 17th of February a fire occurred in the building known as Townsend Hall, corner Main and Swan streets, owned by G. R. Wilson, Esq., and the estate of Geo. Townsend, deceased, and occupied by A. I. Mathews, druggist, Moores & White, shoe dealers, Slaght & Barnes, keepers of billiard saloon, and Eli Cook, attorney at law.

From the testimony taken in the case, I cannot avoid determining that the building was fired by some person or persons, within a few feet of the landing at the top of the first flight of stairs leading from the third floor.

D. KISSOCK, Fire Marshal.

Filed, and subject matter referred to Committee on Fire.

FURTHER FROM THE FIRE MARSHAL.

GENTLEMEN: On the 24 inst., at 2:30 A. M., a fire was discovered in an unoccupied room in the "Arcade," owned by Albert and George Brisbane It was, without doubt, the work of an incendiary. There were some ten or twelve lengths of hose maliciously cut while being used at the above fire.

D. KISSOCK, Fire Marshal.

Filed, and subject matter referred to Committee on Fire.

The City Clerk reported that the following named assessment rolls had remained on file in his office more than ten days, since the first publication of a notice in the city paper, that the same were so filed, and that persons interested might file applications for the correction of the same, and that no such applications had been filed with him, viz:

No.	Amount ordered by Common Council.	Amount added by Assessors.	Total amount of Assessment.
2364—For lengthening the stone sluice across Niagara street, about 300 feet northerly from the railroad bridge, the full width of said street	$122 35	$1 65	$124 00
2365—For constructing a brick sewer in Bridge street, from a point 15 feet westerly from the easterly line of Niagara street to Erie Canal	195 00	2 00	197 00
2366—For constructing a brick sewer in Parish street, from a point 25 feet southwesterly from the northeasterly line of Niagara street to the Erie Canal	154 00	1 75	155 75
2368—For repairing the sidewalk on the easterly side of Hickory street, between Batavia and William streets	12 00	1 00	13 00
2369—For repairing the sidewalk on the east side of Oak street, between Genesee and Sycamore streets	24 72	1 28	26 00
2370—For repairing plank sidewalk on the easterly side of Pratt street, between Sycamore and Genesee streets	16 00	1 00	17 00
2371—For repairing plank sidewalk on the southerly side of Genesee street, between Elm and Michigan streets	19 00	1 00	20 00
2372—For repairing plank sidewalk on the easterly side of Spruce street, between Sycamore and Genesee streets	4 48	52	5 00
2373—For repairing the plank sidewalk on the easterly side of Michigan street, between Sycamore and Genesee streets	44 96	1 54	46 50
2374—For repairing the plank sidewalk on the westerly side of Spring street, between Batavia and Sycamore streets	48 32	1 68	50 00
2375—For repairing the plank sidewalk on the northerly side of Batavia street, between Washington street and Blossom alley	11 32	68	12 00
2378—For repairing Tonawanda street between Niagara and Dearborn streets	14 46	1 04	15 50

The following communication from the City Attorney was received:

CITY ATTORNEY'S OFFICE,
BUFFALO, March 4, 1861.

To the Honorable the Common Council of the City of Buffalo:

I hereby report that I have examined an abstract of the proceedings of your Hon. Body in regard to assessment rolls Nos. 2,364 to 2,366, both inclusive, and also No. 2,368, and am of opinion that said proceedings have been regular, and in accordance with the provisions of the Charter. Respectfully submitted,

GEORGE WADSWORTH, City Attorney.

Received and placed on file.

Whereupon Ald. Howell moved that the several rolls reported in the foregoing communication from the City Clerk except roll No. 2373, be confirmed. Carried.

Ald. Swartz moved that assessment roll No. 2373 be annulled. Carried.

The City Clerk also reported that the following named assessment roll had remained on file in his office more than ten days, since the first publication of a notice in the city paper that the same was so filed, and that Jesse Ketchum and George W. Jonson had filed an application for the correction of the same, viz:

No. 2,376 For the purpose of paying the just compensation awarded to the person or persons owning or having an interest in the land and property taken to lay out Carlton street, from the easterly line of Main street, to the north westerly line of Genesee street, together with the costs and expenses of the ascertainment—$3,568 67, $5,00, $3,573 67.

Time for consideration fixed for three weeks from to-day.

The City Clerk also reported that the following named assessment roll had remained on file, in his office, more than ten days, since the first publication of a notice in the city paper, that the same was so filed, and that Elizabeth Miller and others had filed an application for the correction of the same—viz:

No. 2,367—For constructing a brick sewer in Breckinridge street, from the easterly line of North Washington street, westerly to the Erie Canal—Tax, $2,500; expense, $5.00; aggregate, $2,505. Time for consideration fixed for three weeks from to-day.

The City Clerk also reports that the following accounts have been submitted to the Board of Health, and by them audited; and the Clerk was directed to refer the same to the Council, with a request that provision be made for the payment of the same:—

John Mauer for services as Health Inspector for January—$31 50.

George J. Rheinhardt, Health Inspector from January 22d to February 28th, 1861—$57.

John Elliot, Health Inspector for February, 1861—$42. Referred to Committee on Sanitary Measures.

The City Clerk also reported the following Chapter on Ordinances adopted by the Board of Health:—

OF THE BOARD OF HEALTH.

§ 1. The Board of Health shall meet at such times and places as they may deem proper, and shall keep regular minutes of their proceedings. They shall have power, and it shall be their duty—

1. To make, and by order, to direct to be made, diligent inquiry with respect to all nuisances of every description which are, or may be injurious to the public health, and to abate the same, in any way or manner they may deem expedient.

2. To stop, detain, and examine, and, by order, to direct to be stopped, detained, and examined, for the purpose of preventing the entrance of any pestilential or infectious disease in the city, every person coming from any place infected, or believed to be infected, with such a disease.

3. To cause any person who shall be suspected of being infected with any such disease, and who is not an inhabitant of this State, to be sent out of the State, or to the pest-house, or hospital.

4. To cause any person, not being a resident of this city, who shall be, or suspected of being, infected with any such disease, to be sent to the pest-house or hospital.

5. To cause any resident of the city, infected with any such disease, to be removed to the pest-house, or hospital, if the health physician and the attending physician, if any, and one member of the Board of Health, shall certify that the removal of such resident is necessary for the preservation of the public health.

6. To remove from the city, or destroy any furniture, wearing apparel, or goods, wares, or merchandise, or articles or property of any kind, which shall be, or be suspected of being tainted or infected with pestilence, or which shall be, or be likely to pass into such State as to generate or propagate disease.

7. To order the water to be drawn off from the hydrants whenever in their judgment the public health requires it to be done either for the purpose of cleaning the gutters or of rendering the water more pure and clear, for the use of the citizens.

8. Every person who shall be served with a copy of any order, certified by the Clerk, made by the Board of health, under the powers conferred by this section, and shall refuse or neglect to obey or comply with the same, shall forfeit the penalty of fifty dollars for each and every offence.

§ 2. It shall be the duty of the Board of Health annually, (and oftener, if they deem it necessary,) to divide the city into Health Districts.

§ 3. It shall be the duty of each Health Inspector, appointed by the Common Council—

1. To ascertain every nuisance which may exist in his District, and forthwith to report the same, in writing, to the Clerk of the Board of Health;

2. To enter upon the premises and into the house of every person in his District, as often as he shall deem necessary, or the Board of Health shall order, and to examine into the health, cleanliness, and number of persons inhabiting such house, and inspect the cellars, vaults, privies, and sewers, on such premises;

3. To execute all orders and resolutions of the Board of Health, in such manner as they shall direct.

§ 4. Every Constable or Health Inspector who shall refuse or neglect to obey or execute the orders and resolutions of the Board of Health shall forfeit the penalty of ten dollars, for each and every refusal or neglect.

§ 5. The Board of Health shall have the control and supervision of the Pest House or Hospital, and shall appoint a suitable keeper thereof, and are hereby authorized to employ nurses, and to procure such food, articles, and necessaries for the use of the Pest House, or Hospital, and the persons therein confined, as they may think proper, at the expense of the city.

§ 6. It shall be the duty of the Health Physician to obey the orders of the Board of Health, and he shall be required to visit each of the Public Schools in the city during the months of April and May in each year, and vaccinate each child therein.

§ 7. Whenever the Board of Health shall make any order requiring any canal boat, steamboat, or any other vessel or craft, by them suspected to have on board any infected or diseased property or person, not to enter the city or harbor, or to remove therefrom, the said board shall have power to require the crew and passengers on board of such boat, or craft, or vessel, not to enter the city of Buffalo, until permission shall be given by such board; and if such crew or passengers, or any of them, shall enter said city contrary to such order, after service of such order upon the master or person in charge of said boat, craft, or vessel, the master or person in charge of said boat, craft, or vessel, upon whom such order was served, and the persons so entering, shall each forfeit the penalty of fifty dollars; and if such order shall have been served upon the owner or consignee of such boat, vessel, or craft, such owner or consignee shall also forfeit the penalty of fifty dollars.

§ 8. All the foregoing provisions of this chapter shall be deemed subject to the provisions of the act of the legislature of this State, entitled "An act for the preservation of the public health," passed April 10, 1850.

§ 9. The City Sexton, and every person who may act as sexton in the city of Buffalo, shall obtain, before interment, from the attending physician, a certificate of the cause of death, of every person interred by such sexton; and the said physician shall furnish such certificate to such sexton forthwith after application shall be made to him therefor as aforesaid; and in case of refusal or neglect to comply with the requirements of this section, such sexton and such physician shall forfeit the penalty of five dollars for each and every offence.

§ 10. No person shall inter within the city of Buffalo, or remove from said city for the purpose of interment, the corpse of any person dying within said city, without first having obtained a permit for that purpose from the City Clerk, under the penalty of twenty-five dollars for each and every offence.

§ 11. The City Clerk may grant permission to any person applying therefor, to bury the corpse of any person dying within the city, on receiving the certificate of a physician, provided for by the ninth section of this title, or in cases where there was no attending physician, evidence of the cause of such death.

§ 12. The keeper of any tavern, boarding or public house, in which any inmate thereof shall be sick with small-pox, varioloid, or other infectious or pestilential disease, shall, upon such fact coming to his knowledge, forthwith report the same to the Board of Health, or to some member, or to the clerk thereof, and his, her, or their neglect or refusal to do so, shall subject every person or persons so refusing or neglecting, to a penalty of fifty dollars for each and every such offence.

§ 13. Every physican or person acting as such, who shall have any patient within the city limits sick with any of the diseases mentioned in the preceding section, shall forthwith report the fact to the Board of Health, or to some member, or to the Clerk thereof, together with the name of such patient, and the street and the number of the house where such patient is treated, and in default of so doing, shall be subject to a penalty of fifty dollars for each and every such offence.

§ 14. It shall be the duty of the occupant of any dwelling house, store, shop or other building in the city of Buffalo, in which there shall be any person sick or infected with small pox or varioloid, and he is hereby required

to put up and maintain in a conspicuous place on the front of said dwelling house store, shop, or other building, a card or sign, on which shall be written or printed, in English and German, the words, "Small Pox," and to keep the same so posted during all the time any person so diseased shall remain in said building, under penalty of twenty-five dollars, and no person shall remove such sign or card placed on said premises, either by the owner or occupant, or by any member of the Board of Health or Health Inspector, during said time, without permission of the Board of Health, under the penalty of twenty-five dollars.

Ald. Howard moved that same be referred to the Committee of the Whole, and that same be printed. Carried.

The written resignation of Donald Thane, of the office of engineer of the steam fire engine "City of Buffalo, was presented. Filed, and resignation accepted.

PETITIONS.

Of E. D. Efner, to have a tax refunded.

Of S. S. Jewett, to have duplicate order drawn. Referred to Committee on Finance.

Of Conrad Bauer, to be appointed Commissioner of Deeds. Referred to Committee on Schools.

Of Martin Beyer, for permission to erect car on corner of Sycamore and Michigan streets, for the purpose of a Photograph Gallery.

Of Wm F. Miller and C. G. Miller, for permission to erect a brick building on west side of Commercial street. Referred to Committee on Fire.

Of Charles E. Bacon and others, for extension of Lamp District on Maryland street, from Niagara to Cottage street. Referred to Committee on Public Lamps.

Petition of sundry inhabitants of Fort Erie, in relation to Black Rock Ferry.

Petition of sundry citizens of the 11th Ward, against removing Black Rock Ferry from the foot of Ferry street.

Laid on table to be taken up under order of Reports from Committee on Wharves, Harbors and Ferries.

Petition of Bernard Murphy, for a fireman's certificate. Referred to Fire Commissioners with power.

Petition of sundry persons, to have Ferry street graded without expense to owners of property on said street.

Ald. Howard moved to refer to Committee on New Territory. Carried. Ayes, 13; Noes, 9.

Petition of D. W. Clark and others, to have Perry street opened from Hamburg to Dole street.

Ald. Howell moved to refer the same to Committee on Streets.

Ald. Hannovan offered the following an an amendment to the motion of Ald Howell:

Resolved, That the petition of D. W. Clark and others, asking to have Perry street opened from the old city line to Dole street, be referred to the Committee on Streets, and that such Committee be requested to report thereon, and on the resolution already referred to them on the same subject, at the next meeting of the Council. Carried. And the motion of Ald. Howell, as so amended, was also carried.

REMONSTRANCES.

Of Orlando Allen and others, against the opening of Perry street. Referred to Committee on Streets.

Of sundry owners of Mills at Black Rock, against changing the location of the Black Rock Ferry from the foot of Ferry street. Laid on the table, to be taken up under order of reports of Committee on Wharves, Harbors and Ferries.

ACCOUNTS REFERRED.

Lauren Williams, for repairing bridge across Evans Ship Canal on Erie street. Referred to Committee on Streets.

De Forest & Coye, for coal for Fire Department. Referred to Committee on Fire.

H. S. Chamberlain, for sundries for Washington market. Referred to Committee on Markets.

Buffalo Gas Light Company, for gas for public lamps for February, 1861. Referred to Committee on Public Lamps.

Caleb Coatsworth, for abating nuisance by filling the bed of Little Buffalo Creek, between centre of Otto and Alabama streets. Referred to Committee on Sanitary Measures.

Asa Whitmore, for repairing the bridge over ravine on Mineral Spring street, between Buffalo and Aurora plank road and the Sulphur spring. Referred to Committee on New Territory.

REPORTS OF COMMITTEES.

Ald. Howard from the Committee on Finance reported in favor of the adoption of the following resolutions:

That an order for $105 91 be drawn on the General Fund 1858, in favor of the Comptroller, and that the said Comptroller be directed to deposit same to the credit of Local Fund for "abating nuisance on east side of Chicago street, on south corner of Mackinaw street." Adopted.

That an order for $113 86 be drawn on the General Fund 1858, in favor of the Comptroller, and that said Comptroller be directed to deposit same to the credit of Local Fund for "grading and filling Fir street, between Carolina street and Johnson and Park places." Adopted.

That an order for $157 77 be drawn on the General Fund 1858, in favor of the Comptroller, and that said Comptroller be directed to deposit same to the credit of Local Fund for "sewer in Goodell alley, from Tupper to Goodell street. Adopted.

That an order for $33 19 be drawn on the General Fund 1858, in favor of the Comptroller, and that said Comptroller be directed to deposit same to the credit of Local Fund for "well corner of Pennsylvania and Niagara streets. Adopted.

That an order for $21 16 be drawn on the General Fund 1858, in favor of the Comptroller, and that said Comptroller deposit same to the credit of Local Fund for "abating nuisance south side of Exchange street, 440¾ feet front, 300 feet west of Michigan street. Adopted.

That upon filing the petition of J. D. Gross, together with the proofs accompanying same, with the Comptroller, in which said Gross asks for a declaration of sale on certificate of tax sale No. 1770, of the sale of Dec. 4th, 1856, of lot on west side of Gray street, part of farm lot No. 22, sub. 25, commencing 1201 feet south of Genesee street, being 53 feet front by 190 feet deep, the said Comptroller be and he is hereby authorized to execute and deliver to said Gross a declaration of sale thereon, in the form prescribed by the City Charter. Adopted.

That the City Clerk file with the Comptroller the certified copy of the order of the Supreme Court accompany-

ing this report, and that thereupon the Comptroller be, and he is hereby directed to cancel and discharge of record so much of the sale, of June 23d, 1878 of a lot of land on Amherst street, south side, west corner of Delaware street, being 1,253 feet front, by 850 feet deep as was for the non payment of the assessment for grading and working Delaware street, from Ferry street to the Cemetary Road. Adopted.

Ald. Wheeler, from the Committee on Schools, reported in favor of the adoption of the following resolution:

That the Superintendent of Schools be authorized to cause 1,500 copies of his annual report presented to the Council February, 18th, 1861, to be printed in pamphlet form. Adopted

Ald. Howard moved to reconsider the vote adopting tee above resolution. Carried.

Ald. Howard then moved to amend said resolution by striking out 1,500, and inserting 2,000 in place thereof. Carried.

The said resolution, as amended, was then adopted. Ayes, 15; Noes, 8.

Ald. Felton was called to the Chair.

Ald. Palmer called up the following report from the Committee on Streets, laid upon the table at the last meeting for one week.

That the following resolution, adopted by the Common Council at its meeting held November 26, 1860, to wit: "That the Common Council of the city of Buffalo intend to order Buffalo Creek widened, straightened and enlarged at the toll bridge on Ohio street, and a wood or Iron swing bridge, with double swing and stone abutments, constructed across said enlargement at said toll bridge, and that the City Clerk cause the necessary notice of such intention to be published," be and the same is hereby repealed.

That the Common Council of the City of Buffalo intend to order Buffalo Creek widened, straightened and enlarged at the toll bridge on Ohio street, and the necessary masonry and crib work constructed for the construction of a swing bridge across said proposed enlargement, and that the necessary notice be published.

That the Common Council of the City of Buffalo intend to order a swing bridge superstructure constructed across the proposed enlargement of Buffalo Creek at the toll bridge on Ohio street, and that the necessary notice be given.

Ald Palmer moved that parties interested in the subject matter of said report be heard. Carried.

Messrs. H. W. Rogers and C. S. Pierce addressed the Council in relation to the subject.

Ald. Palmer moved that the first resolution contained in said report be adopted. Carried. Ayes, 12; Noes, 0.

The question being on the adoption of the second resolution contained in said report—

Ald. Bemis offered the following as a substitute for said second resolution:

Resolved, That the Common Council of the city of Buffalo intend to order Buffalo Creek widened, straightened and enlarged at the termination of Ohio street at said creek, in accordance with the survey of land taken for said improvement, and the City Clerk is hereby directed to give the necessary notice.

Ald. Howard moved that so much of the said report of the Committee on Streets as has not been adopted, and the substitute offered by Ald. Bemis, be laid upon the table, to be taken up immediately after the order of Reports from Special Committees. Carried.

The President resumed the Chair.

Ald. Jones, from the Committee on Water, reported against rescinding the action of the Council of December 24th, 1860, in ordering an assessment for the constructing of a well corner of Sycamore and Pratt streets. Adopted; Ayes 16, Noes 2.

Ald. Allen called up the report from the Committee on Wharves, Harbors and Ferries, in relation to ferry across Niagara river, presented to the Council at its meeting held February 25, 1861, and at that time laid upon the table for one week.

Ald. Mills moved that said report be referred back to the Committee on Wharves, Harbors and Ferries for one week. Carried.

Ald. Russell, from the Committee on Public Grounds, reported in favor of drawing an order for $70 83, in favor of Amasa Mason, to apply on his account for trees furnished for Franklin square. Adopted.

Ald. Felton, by unanimous consent, offered the following resolution:

That the owners of the land on the westerly side of the Terrace street, from a point 240 feet northerly from Genesee street to a point 25 feet northerly from the first named point, cause a sidewalk to be repaired in front of their respective lots, by levelling the same and substituting new brick where necessary, within 5 days, under the direction of the Street Commissioner, and if not done within that time, then the Street Commissioner is hereby directed to cause the same to be done, at an expense not exceeding $15, and report. Adopted.

Ald. Howard moved that that portion of the report of the Committee on Streets, together with the substitute to said report, offered by Ald. Bemis, and laid upon the table at this meeting, be now taken up. Carried.

Ald. Palmer moved that said portion of said report, and the said substitute, be referred back to the Committee on Streets for one week. Carried.

Ald. Adams moved that the petitions and remonstrance in relation to the location of the Ferry across Niagara River, presented this day, and laid upon the table, be now taken up and referred to the Committee on Wharves, Harbors and Ferries. Carried.

Ald. Palmer moved that the Common Council do now adjourn to meet this evening at 7 o'clock, to remain in session no longer than until 9 o'clock, P. M. Carried.

The following resolutions remaining on the desk of the Clerk, at the adjournment of the Council, were, in accordance with the rules of the Council, referred by said Clerk to the appropriate Committees, to wit:

That the wood culvert across Adam street, on the northerly side of Batavia street, be repaired at an expense not exceeding $5 00, and that the Street Commissioner cause the same to be done and report. Referred to Committee on Streets.

That the Street Commissioner cause the crosswalk across Spring street, on the northerly side of Clinton street, to be repaired within 14 days, at an expense not exceeding $14.

That the Street Commissioner be and is hereby directed to notify owners of land on south side of Genesee street, between Mortimer and Jefferson streets, to repair their

sidewalks within 10 days after such notice, and if not done within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $100 and report.

That the Street Commissioner cause the plank crosswalk across Grosvenor street, on southerly side of South Division street, to be repaired at an expense not exceeding $6 and report.

That the Street Commissioner cause a crosswalk to be constructed on the west side of Michigan street, at the intersection of Tupper street, within 20 days, at an expense not to exceed $8 and report.

That the owners of land on the west side of Michigan street, between Burton alley and Colton street, cause a sidewalk to be repaired in front of their lots, within 20 days, and if not done in that time that the Street Commissioner cause the same to be done and report. Referred to Committee on Side and Crosswalks.

That the resolution adopted January 21st, 1861, authorizing the Mayor to offer a reward of $500 for the detection of the persons who fired the premises of James Adams & Co., be and the same is hereby rescinded.

That the Mayor be requested to offer a reward of $300 for any such information as will lead to the detection and conviction of any persons who may or have wilfully, during the year 1861, set fire to any building within said city.

Also, a reward of $200 to any one giving such information as will lead to the detection and conviction of any person or persons wilfully injuring or destroying any fire apparatus belonging to the Fire Department. Referred to the Committee on Fire.

That the Street Commissioner cause an artesian well to be bored in the 13th Ward, to test the practicability of obtaining petroleum within the limits of the city.

That the Street Commissioner cause a culvert to be reconstructed across Ferry street, 200 feet easterly from Jefferson street, at an expense not to exceed $20, and report.

That the City Surveyor be directed to estimate the expense of constructing two stone abutments under the bridge at Cazenovia Creek.

That the Street Commissioner cause a crosswalk constructed across Hamilton street, on the westerly side of Dearborn street.

That the owners of land on the north-west side of Connecticut street, at the intersection of the north-easterly line of Ninth street, cause a sidewalk to be constructed, within eight days, and if not done in that time, that the Street Commissioner cause the same to be done. Referred to Committee on New Territory.

The Common Council adjourned to meet this evening at 7 o'clock.

O. F. PRESBREY, City Clerk.

IN COMMON COUNCIL,
Buffalo, Monday, March 4th, 1861,
At 7 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council, and Ald. Adams, Beckwith, Bemis, Brush, Felton, Grass, Hannovan, Howard, Howell, Palmer, Rutter, Schwartz, Storck, Wheeler.

Absent—Ald Allen, Crowder, Dorr, Goembel, Jones, Mills, Pratt, Russell, Savage, Scheu, Walsh and Yaw.

The reading of the minutes of the last meeting was dispensed with.

By unanimous consent the following was presented.

By Ald. Howell—

Whereas, the lease of the building now used for a police station, denominated No. 4, is about to expire, and, whereas, the City is the owner of a building in the neighborhood of such police station, now used and occupied as an engine house, and which is believed to be unnecessary for the uses of the Fire Department, therefore be it

Resolved, That the Fire Marshal be, and he is hereby directed to remove from Engine House No. 12, all fire apparatus, or other property belonging to the Fire Department of the City of Buffalo, immediately, and place the building in charge of the Chief of the Police, to be used as a Police Station, to be denominated Police Station No. 4.

Ald. Swartz moved to refer same to the Committees on Fire and Police. Carried.

Ald. Howard moved that the Common Council do now resolve itself into the Committee of the Whole for the purpose of the further consideration of the Comptroller's Statement. Carried.

Ald. Beckwith was called to the Chair.

The Committee of the Whole rose and by their Chairman, Ald. Beckwith, reported that the Committee of the Whole had had the Comptroller's statement under consideration, had made some progress therein, but not having gone through therewith, asked leave to sit again. Leave granted.

Ald. Howard moved that when this Council adjourns it adjourn to meet to-morrow afternoon at 3 o'clock. Lost.

Ald. Wheeler moved that when this Council adjourns it adjourn to meet to-morrow evening at 7 o'clock. Carried.

Ald. Howell moved that the citizens be permitted to use the Council Chamber on Wednesday evening next, for the purpose of holding a meeting for the consideration of the recent action of the Canal Board, in increasing the rate of canal tolls. Carried.

The Common Council then adjourned to meet tomorrow (Tuesday) evening, March 5th, 1861, at 7 o'clock.

O. F. PRESBREY, City Clerk.

IN COMMON COUNCIL,
Buffalo, Tuesday, March 5th, 1861,
At 7 o'clock, P. M.

Present.—Asaph S. Bemis Esq., President of the Council, and Aldermen Allen, Beckwith, Brush, Crowder, Felton, Howard, Howell, Mills, Pratt, Rutter, Storck and Wheeler.

Absent.—Aldermen Adams, Dorr, Goembel, Grass, Hanovan, Jones, Palmer, Russell, Savage, Scheu, Swartz, Walsh and Yaw.

A quorum not being present,

The Common Council stood adjourned to meet next Monday afternoon, March 11th, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 10.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, March 11, 1861,
at 2 o'clock, P. M.

Present.—Asaph S. Bemis Esq , President of the Council and Aldermen Adams, Allen, Beckwith, Brush, Crowder, Dorr, Felton, Goembel, Hanovan, Howard, Howell, Jones, Mills, Palmer, Rutter, Savage, Scheu. Schwartz, Storck, Wheeler and Yaw.

Absent—Aldermen Grass, Pratt, Russell, and Walsh.

The minutes of the meetings, held Monday, March 4th, at 2 o'cl ck P. M. and 7 o'clock P. M., were approved.

OFFICERS OF THE CORPORATION.

FROM THE CITY ATTORNEY.

The ac ion of Franklin Sidaway, against the City of Buffalo, which was referred to me by your Honorable Body at your last meeting, is brought to procure the can cellation and discharge of a certain tax scrip on a lot on the northeasterly corner of Niagara and Hudson streets, being 92½ feet on Niagara street by 264 feet on Hudson street, which scrip arose from the sale of said premises for non-payment of the assessment for grading and paving said Hudson street, from Niagara to Twelfth street. The said assessment was declared void in an action which was brought by Herman Bruen to foreclose a mortgage which he held on said premises, and your Honorable Body refunded to Mr. Bruen the money which he had paid for said s rip, on the recommendation of your Committee on Finance and the then City Attorney to whom the whole matter was referred, and who reported thereon on the 19th of September, 1859, which report is found in the printed minutes of the proceedings of the Common Council for the year 1859, at page 308.

That the assessment was an illegal one I have no doubt, and therefore the City cannot collect the money therefor, nor make title to the land under the sale, and although I think there is a technical defence to the present action, yet if the City should succeed in this action, it would not make the assessment a valid lien upon the land, or confer any power upon City to collect it. I therefore recommend that said assessment be cancelled and discharged of record, and that the Comptroller be directed to cancel and discharge the same upon the discontinuance of said action without costs to the City.

GEORGE WADSWORTH, City Attorney.

Filed and recommendation adopted.

FROM THE FIRE MARSHAL.

GENTLEMEN: In accordance with a resolution of your Honorable Body, directing me to advertise for proposals to build a brick barn in the rear of the engine house on Niagara street, and report the bids, &c., I now respectfully report the following:

S. Sawin & Co.	$470 00
Henry Swartz	400 00
Ralph Leinhart & Bro.	525 00
N. H. Barnes	460 00
Wm. I. Williams	385 50
J. Churchyard	469 00
F. Schiefer	446 00
F. Geib	389 71
T. B. Tilden	465 00

D. KISSOCK, Fire Marshal.

Referred to Committee on Fire, with power.

Assessment Roll No. 2352, for repairing the sidewalk on the southwest side of Twelfth street, between Hudson and Pennsylvania streets—amount $59—the time for the consideration of which had been postponed until Monday, March 4th, 1861, but not having been taken up for consideration on said day, was now taken up.

Ald. Adams moved that said Roll be confirmed. Carried.

PETITIONS.

Of John Booth and Wm. Harris, to have a local tax cancelled.

Of James Sullivan, to have erroneous tax refunded. Referred to Committee on Finance.

Of J. Beyer and others, to have Jacob Gerlach appointed Commissioner of Deeds. Referred to Committee on Schools.

Of O. P. Ramsdell and others, to have Rock street graded between Genesee and Hospital streets.

Of M. Herbsh and others, to have Peach street opened, between High and Cherry streets. Referred to Committee on Streets.

Of Joseph Ferron and others, for a plank sidewalk on Burton alley, between Washington and Oak streets.

Of Sundry Persons, for a plank sidewalk on westerly side of Germon street, from Genesee street to a point 197 feet northerly therefrom. Referred to Committee on Side and Crosswalks.

Of Mrs. Mary Henage and Jonathan Chamberlin, for permission to erect a wooden building.

Of Edwin Hardy, for permission to remove his house, &c. Referred to Committee on Fire.

Of M. P. Fillmore and others, for the appointment of Carl Anderson as Constable for 4th Ward. Referred to Committee on Police.

Of sundry persons to have Black Rock Ferry terminus at foot of Albany street. Referred to Committee on Wharves, Harbors and Ferries.

Of A. Robinson and others, to have Lamp District extended on Bowery street. Referred to Committee on Public Lamps.

Of L. Geib, for fireman's certificate. Referred to Fire Commissioners with power.

Petition of Henry Diehl, for permission to erect a wooden shed, 40 by 12 feet, on the rear of his lot, on the northerly side of Goodell street, about 20 feet east of Oak street.

Ald. Palmer moved that the prayer of the petition be granted, under the direction of the Fire Marshal, and subject to the further order of the Council. Carried. Ayes, 16; noes, 0.

REMONSTRANCES.

Of William Lettermann and others, against the extension of lamp district on Maryland street, between Ninth and Cottage stree's. Referred to Committee on Public Lamps.

ACCOUNTS REFERRED.

L. Williams, for repairing wood culvert across Palmer street, on the south-east side of Maryland street. Referred to Committee on Streets.

Davenport & Nelson, for repairs to steamer C. J. Wells. Referred to Committee on Fire.

Klein & Dobinson, for repairing sundry pumps—(14 accounts.)—Referred to Committee on Water.

C. Bull, for coal for City Hall. Referred to Committee on Claims.

C. Bull, for coal for Chief of Police.

Geo. H. Sherwood, for commitments to Penitentiary.

J. F. E. Plogsted, for same. Referred to Committee on Police.

Hiram Atwood, for services as Porter in Clinton Market, in January, 1861. Referred to Committee on Markets.

Michael Danner Sen , for tips and burners for Chippewa Market. Referred to Committee on Public Lamps.

American Hotel, for reception and entertainment of Mr. Lincoln and suite.

Union Cornet Band, for services at reception of Mr. Lincoln. Referred to special committee on that subject.

REPORTS OF COMMITTEES.

Ald. Howard, from the Committee on Finance, reported in favor of the adoption of the following resolution:

That upon filing the petition of Julia A. Nuhn with the affidavit accompanying the same, with the Comptroller, and the execution by her of a bond with satisfactory sureties conditioned to protect and indemnify the city against all damages or costs, or claims for such damage, loss or cost by reason of such discharge and release, the Comptroller be and he is hereby authorized and directed to release and discharge a lot of land on south side of Clinton street, west corner of Elm street, being twenty feet front on Clinton street by ninety feet deep, from the lien and effect of a sale for non-payment of taxes, dated July 5th, 1857, for $10 16, of lot twenty-five feet front on Clinton street by ninety feet deep west corner of Elm street, and also from sale dated July 29th, 1857, for $97 45, of a lot ninety feet front on Clinton street by ninety feet deep west corner of Elm street. Adopted.

Ald Wheeler, from the Committee on Schools, reported in favor of the following resolution:

That James Miller, William B. Hoyt, Charles J. Thomas, Conrad Baer, and Donald McDonald, be and they are hereby each appointed Commissioner of Deeds in and for the City of Buffalo, to have and to hold the said office for the unexpired term of two years from January 1st 1861.—Adopted.

Ald. Palmer, from the Committee on Streets, reported in favor of the adoption of the following resolutions:

That the Common Council of the City of Buffalo, intend to order Buffalo Creek to be widened, straightened and enlarged at the toll bridge on Ohio street, in accordance with a plan and survey of said proposed improvement on file in the City Surveyor's office, by excavating a channel fifty feet in width, with twelve feet depth of water, and protecting the same on the northerly side thereof, with crib-work, which said channel is bounded and described as follows:

Commencing at a point in a line drawn at right angles to Ohio street, through a point 83 feet north of south face of the present north toll bridge abutment, and distant in said line 321 feet from the centre of Ohio street as paved; thence west in said line 158 feet, thence southwesterly 131 feet to a point 27 feet south of said 83 foot line; thence west and parallel with said 83 foot line, 52 feet; thence northwesterly 98 feet to said 83 foot line; thence west in said line 157 feet; thence south at right angles to the last course 77 feet; thence east at right angles with Ohio street 588 feet; thence north at right angles with the last course 77 feet to the place of beginning—and the City Clerk is hereby directed to publish the necessary notice of such intention. Adopted.

That the City Surveyor be directed to advertise for ten days for proposals for performing the work necessary for the above named improvement and report. Adopted.

Also reported relative to the subject of opening Perry street, from Hamburgh to Dole street, that there was an award to Mr. Orlando Allen, amounting to $94, for land taken to lay out said Perry street between the above named points, which had not as yet been paid, consequently the city had no jurisdiction over that portion of the land taken for said street for which said award was made, and asked that the committee be allowed further time before making a final report on the subject.

Ald. Adams moved as an amendment to said report that the Comptroller be directed to tender to Mr. Allen the award made to him, and in case he refuses to accept same, the said Comptroller make such other disposition of the said award as is provided for by the City Charter. Carried.

Ald. Hanovan moved as a further amendment to said report, that the Street Commissioner be directed to notify the owner or owners of any fence or other obstruction being or standing in Perry street, between Hamburgh and Dole streets, to remove such obstructions within 20 days and if not done in that time that the Street Commissioner cause same to be removed and report.

Ald. Howell moved that the said report as amended, and the amendment moved by Ald. Hanovan, be referred back to the Committee on Streets. Carried.

Ald. Swartz, from the Committee on Side and Cross Walks, reported in favor of allowing the following accounts and of drawing orders for same:

Frederick Schiefer, for repairing the sidewalk on the westerly side of Spring street, between Batavia and Sycamore streets—$48 32.

Same, for repairing sidewalk on the northerly side of Batavia street, between Washington street and Blossom Alley—$11 32.

Same, for repairing sidewalk on the easterly side of Spruce street, between Sycamore and Genesee streets—$4 48.

Same, for repairing sidewalk on the southerly side of Genesee street, between Elm and Michigan streets—$19.

Same, for repairing sidewalk on the easterly side of Pratt street, between Sycamore and Genesee streets—$16 00.

Same, for repairing the sidewalk on the easterly side of Hickory street, between Batavia and William streets—$12 00.

Same, for repairing sidewalk on the east side of Oak street, between Genesee and Sycamore streets—$24 72.—Adopted.

Also, in favor of directing the City Assessors to assess $49 67, for repairing the plank sidewalk on the easterly side of Michigan street, between Sycamore and Genesee streets.—Adopted.

Ald. Yaw, from the Committee on Fire reported in favor of the adoption of the following resolutions, viz: —

That permission be and is hereby granted to Daniel G. Simonds to move a one and a half story frame cottage from lot on south side of Carroll street, 123 feet east of Michigan street to lot on east side of Michigan street, 25 feet north of Carroll street, and to erect a wooden addition of one story to said Cottage, when so moved, the moving to be done under the direction of the Street Commissioner, the addition to be made under the direction of the Fire Marshal, and to be provided with suitable chimneys, and the whole to be subject to the further order of the Common Council. Adopted. Ayes, 19; Noes, 0.

That so much of the action of the Common Council, passed January 21, 1861, as authorized the Mayor to offer a reward of five hundred dollars, for the detection of the person or persons, who fired the premises of Messrs. James Adams & Co., be and the same is hereby rescinded. Adopted. Ayes, 20; Noes, 0.

That the Common Council of the City of Buffalo do hereby request His Honor, the Mayor, to offer a reward of one hundred dollars to any person or persons who may give such information as will lead to the detection and conviction of any person or persons, who have or may wilfully (during the year 1861) injure or destroy any hose, fire apparatus or other property belonging to the Fire Department of the City of Buffalo. Adopted.

That the Common Council of the City of Buffalo do hereby request His Honor, the Mayor, to offer a reward of two hundred dollars, to any person or persons who may give such information as will lead to the detection and conviction of any person or persons, who have or may during the year 1861, wilfully set on fire any house, outhouse or other building, within the limits of said city. Adopted.

To the Hon. the Common Council of the City of Buffalo:—

The Committee on Fire and the Commissioners of the Buffalo Fire Department, to whom was referred the subject of the better organization of the Fire Department, jointly report:

That they have had the subject under consideration, and have endeavored to give it that attention which its importance demands.

They believe that the time has arrived when the services of a paid Fire Department are demanded by the wants of the city and the wishes of a majority of its citizens. The experiment in other cities has so far been highly satisfactory, and there is no apparent reason why it should not prove equally so in ours. Even if it were attended with greater expense than the volunteer system, there are many reasons which should induce the citizens to submit cheerfully to the necessary additional expenditure. Our city is now so large, and fires so frequent, that the duties of volunteer firemen impose an onerous tax upon the time and energies and health of a class of our citizens, least able to bear the burden, and for which it must be admitted they are but poorly rewarded. The health of hundreds of young men has been impaired and their lives shortened by the exposures and violent exertions required in the discharge of their arduous duties as firemen. Any system which would render this sacrifice of time and health and life no longer necessary, would, in a philanthropic view, be of more public benefit than the founding of a hospital. Besides, it has often occurred in other cities, and (although our department has been as free from this objection as any other in the country) it may have occurred in this, that the excitements and temptations to which volunteer firemen are sometimes exposed, has sometimes led young men into habits of dissipation which have been to the lasting detriment of themselves and their friends.

Again, the experiment of the past year with two steam fire engines in this city, has shown that the two systems cannot work successfully together. The firemen have acquiesced, with a highly commendable spirit, in the introduction of the new element of steam power into the department; yet it cannot be expected that that wholesome spirit of rivalry, which lies at the foundation of the volunteer system, can be maintained in such an unequal contest. Men cannot run with horses, nor can human muscles successfully compete with steam; and the fireman sees his best efforts outdone, and the honors of the victory over the devouring element awarded to the "steamer," even when he has sustained to the best of his ability, the burden and heat of the strife.

In an economical point of view, it is believed that the expense of the department will not be greatly if at all increased by the change.

But while in favor of making this change at the earliest practicable period, it should be borne in mind that there are many volunteer firemen who have entered the service with the expectation of receiving at the end of the term prescribed by law, the immunities and exemptions which the Legislature have granted in such cases; and a portion of the volunteer companies should be retained for a time, to give such persons an opportunity to complete their terms of service, and obtain their certificates as exempt firemen.

The present force of the Fire Department is as follows:

Eight Engine Companies, viz:

Engine Co. No. 2, on Elk street, 2d class.
" " " 3, on Genesee street, 1st "
" " " 6, on Niagara street, 2d "

Engine Co. No. 7, on Pine street, 2d class.
" " " 9, at Hydraulics, 2d "
" " " 10, on Terrace, 2d "
" " " 11, on Pearl street, 1st "
" " " 12, on Batavia street, 1st "

Two Hook and Ladder Companies, viz:

Hook and Ladder Co. No. 1, on South Division street.
" " " 2, on Huron street.

Five Hose Companies, viz:

Hose Co. No. 1, on Pearl street.
" " 2, near Court House.
" " 3, on Chicago street.
" " 4, on South Division street.
" " 5, on Perry street.

Two steam fire engines, viz;

The Chandler J. Wells and the City of Buffalo.

In addition to these, the Council have already provided for the purchase of two additional steam fire engines, which will be ready for use in a few weeks.

We respectfully recommend that a hose reel, capable of carrying one thousand feet of hose and a supply of fuel for the engine, and to be drawn by one horse, be procured and located with each of the steam fire engines; that four men be employed for each of said hose carriages, as hose and pipe men, and one driver, making, in all, five men for each of said hose carriages, whose duty it shall be to attend all fires, see that the hose are laid, and manage the pipe, and render such further service as shall be required of them in extinguishing the fire.

We further recommend that Hose Company No. 3 be forthwith disbanded, and the members be allowed to join other companies, as the hose is needed for one of the new steam fire engines.

That the four remaining volunteer hose companies be retained in the service.

That the two volunteer hook and ladder companies be retained in the service.

That when the two new steam fire engines, now in process of construction, are completed and brought into use, as many of the present volunteer engine companies as can be conveniently dispensed with, be disbanded, and the members be allowed to join other companies; and and that those volunteer engine companies retained in the service be located, at far as practicable, in the outer portions of the city, as an additional protection to property in those sections.

That in all future admissions of firemen to the volunteer Companies, those who have served a portion of their time have the preference over new applicants; and that as fast as the firemen shall have served their full time, they be furnished with certificates of discharge, that their places may be filled by others whose terms of service shall not have expired.

And we further recommend that all appointments to the paid Department shall continue during good behavior, and that they be made as far as possible from the present volunteer members.

Dated March 9th, 1861.

GEO. JONES, GEO. R. YAW,
F. H. ROOT, JAMES ADAMS,
SAMUEL SMITH, EVERARD PALMER,
O. G. STEELE, N. JONES,
Fire Commissioners. Z. G. ALLEN,
Fire Committee.

Ordered printed, and referred back to Committee on Fire, together with the Commissioners of the Fire Department.

Ald. Crowder from the Committee on New Territory, reported in favor of the adoption of the following resolutions:

That the owners of land on the north west side of Connecticut street, at the junction of the northeasterly line of Ninth street, cause a sidewalk to be constructed in front of their respective lots, four feet wide of good hemlock plank three inches thick, from the curbing on the north easterly side of Ninth street to a point 12 feet northeasterly from said curbing, within 8 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not to exceed $2 and report. Adopted.

That the Street Commissioner be and he is hereby directed to cause a crosswalk to be constructed two feet wide of plank three inches thick, across Hamilton street, on the westerly side of Dearborn street, at an expense not to exceed $10 and report the expense to this Council. Adopted.

That the wood culvert across Twelfth street, on the north west side of Massachusetts street, be repaired, and that the Street Commissioner cause the same to be done at an expense not to exceed $6 and report. Adopted.

That the culvert across Utica street, on the southeasterly side of Massachusetts street, be repaired at an expense not exceeding $5, and that the Street Commissioner be and is hereby directed to cause the same to be done and report. Adopted.

That the City Surveyor make a suitable plan and estimate of the probable expense for constructing stone abutments for the bridge across Cazenovia Creek, on the Cazenovia Road, between the Aurora Plank Road and the Abbott Road, and that he report such plan and estimate to this Council. Adopted.

That a culvert across Ferry street, about 200 feet easterly from Jefferson street, be reconstructed with stone and wood at an expense not exceeding $20, and that the Street Commissioner cause the same to be done and report. Adopted.

That the action of the Street Commissioner in causing the two receivers located severally on the easterly and on the westerly side of Niagara street, near the southerly end of the bridge across Scajaquada Creek, be and the same is hereby ratified and confirmed by this Council, at an expense of $24 88 for the first and $25 37 for the second above named receiver, and that the accounts for the above work be referred to the Committee on New Territory. Adopted.

Also in favor of directing the Assessors to make assessments as follows:

Assess $24 88 for re-constructing receiver on easterly side of Niagara street, near the southerly end of the bridge across Scajaquada Creek, and that the account for the above named work be referred to the Committee on New Territory. Referred back to Committee on New Territory.

Assess $25 37, for reconstructing receiver on the westerly side of Niagara street, near the southerly end of the bridge across Scajaquada Creek. Referred back to Committee on New Territory.

Assess $148 75, for securing the north abutment of the bridge across Scajaquada Creek, on Niagara street.

Ald. Howell moved to refer same back to the Committee on New Territory. Lost.

And said report was then adopted.

Assess $125, for removing obstructions to the navigation of Scajaquada Creek, under the bridge across said Creek on Niagara street. Adopted.

That the owners of the land on the westerly side of Sixth street, between the southerly curb line of Fort street and a point 1,000 feet southerly therefrom, cause a sidewalk to be constructed three feet wide, of good pine plank, two inches thick, in front of their respective lots, within ten days, and if not done in that time, that the Street Commissioner cause the same to be done at an expense, not exceeding $15, and report. Adopted.

Also in favor of allowing the following accounts and of drawing orders for same, viz:

Asa Whitmore, for repairing the bridge over the ravine on Mineral Spring street, between the Buffalo and Aurora Plank Road and the Sulphur Spring—$2 12.

Isaac Holloway, for lengthening the stone sluice across Niagara street, about 300 feet northerly from the Railroad bridge—$122 35.

Same, for constructing a brick sewer in Bridge street, from a point fifteen feet westerly from the easterly line of Niagara street to the Erie Canal—$195 00.

Same, for constructing a brick sewer in Parish street, from a point twenty-five feet southwesterly from the northeasterly line of Niagara street to the Erie Canal—$154 00.

William Farmer, Jr., for repairing Tonawanda street, between Niagara and Dearborn streets—$14 46. Adopted.

Ald. Howard moved that the Common Council do now resolve itself into the Committee of the Whole for the purpose of the further consideration of the Comptroller's Statement. Carried.

Ald. Palmer was called to the chair.

The Committee of the Whole rose and by their Chairman, Ald. Palmer, reported that the Committee of the Whole had had the Comptroller's statement under consideration, had made some progress therein, but not having gone through therewith, asked leave to sit again Leave granted.

MOTIONS, RESOLUTIONS AND NOTICES.

Ald. Howard offered the following as a proposed amendment to title 5, of the City Charter:

Resolved, That the office of Receiver of Taxes for the City of Buffalo, shall be abolished and discontinued from and after the first day of January, 1862, and the duties now by law devolved upon that office, shall be performed by the Comptroller of the city, except that in the payment of taxes by the tax payers, the same shall be paid to the City Treasurer, upon a bill to be furnished in the Comptroller's office, and upon the return thereof to the Comptroller's office with the Treasurer's receipt thereon endorsed, the Comptroller shall discharge such tax, and countersign such receipt.

Ald. Storck moved to lay same on the table. Lost.

Ald. Howell moved to refer same to the Committee on Finance. Carried.

Ald. Adams moved that the Common Council do now adjourn to meet next Wednesday afternoon, at 2 o'clock. Carried.

The resolutions remaining on the desk of the Clerk, at the adjournment of the Council were by him referred as follows:

That the Comptroller demand from the County Treasurer the amount of school monies appropriated by the State, for 1861, and deposit the same with the City Treasurer, and report. Referred to Committee on Schools.

That the culvert across Genesee street, on the westerly side of Johnson street, be repaired. Referred to Committee on Streets.

That the Street Commissioner cause the receiver on the north-east corner of Sycamore and Court streets to be repaired. Referred to Committee on Sewers.

That the sidewalk on the north side of Huron street between Ellicott and Oak streets, be repaired.

That the sidewalk on the west side of Michigan street, between Sycamore and Batavia streets, be repaired.

That the sidewalk on the west side of Elm street, between Tupper and Goodell streets, be repaired.

That the sidewalk on the west side of Seventh street, from a point 150 feet southerly from Maryland street, to a point 50 feet southerly from the same, be repaired.—Referred to Committee on Side and Cross Walks.

That the Fire Marshal be authorized to purchase two setts of harness for the horses for the new steamer.

That the Fire Marshal be directed to prepare plans and specifications for two barns, one to be erected in rear of house occupied by Steamer City of Buffalo, the other on lot occupied by Hose House No. 3. Referred to Committee on Fire.

That the City Attorney report to this Council as to the power of Edward Bennet to hold the office of Policeman and Constable for the 8th Ward. Referred to Committee on Police.

That the wood culvert across Ferry street, between Walden street and the Williamsville Road, be reconstructed.

That a stone culvert be reconstructed across Steele street, on the easterly side of Main street.

That a sidewalk be constructed on the easterly side of Niagara street, at the junction of Auburn, Bouck, Clinton and Forest avenues, (where not already constructed) on both sides of said avenues, between the easterly curbing and sidewalk superstructure of Niagara street.

That a sidewalk be constructed on the easterly side of Niagara street, at the junction of Rhode Island, Massachusetts, Hampshire, Ninth, Albany, Ferry and Breckenridge streets, (where not already constructed) on both sides of said streets, between the easterly curbing and sidewalk superstructure of Niagara street.

That a sidewalk be constructed on the easterly side of Niagara street, at the junction of Bidwell, De Forest and Bird streets, (where not already constructed) on both sides of said streets, between the easterly curbing and sidewalk superstructure of Niagara street, Referred to Committee on New Territory.

The Common Council adjourned to meet next Wednesday afternoon, March 13th, 1861, at 2 o'clock P. M.

O. F. PRESBREY, City Clerk.

IN COMMON COUNCIL,
Buffalo, Wednesday, March 13th, 1861,
At 2 o'clock, P. M.

Present.—Asaph S. Bemis Esq., President of the Council, and Aldermen Adams, Allen, Beckwith, Brush, Dorr, Grass, Howell, Mills, Scheu, Storck, Wheeler and Yaw.

Absent.—Aldermen Crowder, Felton, Goembel, Hano-Howard, Jones, Palmer, Pratt, Russell, Rutter, Savage, Swartz and Walsh.

A quorum not being present,

The Common Council stood adjourned to meet next Monday afternoon, March 18th, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 11.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, March 18, 1861,
at 2 o'clock, P. M.

Present.—Asaph S. Bemic Esq., President of the Council and Aldermen Adams, Allen, Beckwith, Brush, Crowder, Dorr, Felton, Goembel, Grass, Hanovan, Howard, Howell, Jones, Mills, Palmer, Rutter, Savage, Scheu, Schwartz, Storck, Wheeler and Yaw.

Absent—Aldermen Pratt, Russell, and Walsh.

The question being on the approval of the minutes of the last meeting—

Ald. Felton moved that the Clerk be directed to correct said minutes by striking out the name of "Donald McDonald" contained in the report of the Committee on Schools, appointing sundry persons as Commissioners of Deeds, and insert in place thereof the name of "Allan McDonald." Carried.

The said minutes, as corrected, were then approved.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

Gentlemen—On the 1st proximo the leases held by the city from Messrs. Barnes, Cook & Lytle and Case, for rooms occupied by the Chief of Police, will expire. These rooms were rented for three years from the 1st day of April, 1858, at the annual rent of $275, and it will be proper that some action should be had either in renewing these leases or securing other apartments at once.

The lease from Frederick Kull for Police Station No. 4, expires May 1, 1861. The present rent paid for this station is $100 per annum.

The lease from E. C. Dibble for Police Station No. 2, will also expire on said first day of May. The rent now paid for this station is $150 per year. It is quite probable that something may be saved in rent by taking timely action.

I would also call your attention to the subject of designating the deposit banks for the city. The present contracts with the four banks now receiving the funds of the city on deposit, &c., were made in April last, and run one year only. Perhaps it may be best to divide the funds in the City Treasury among four banks, the same as was done last year; and to this end invite proposals, but I certainly would not increase the number. I am inclined to think that if the deposits were to be divided between two banks, the city would receive bids to pay higher rate of interest than will be offered if the number be increased above two. But this is a matter for your Honorable Body in the first instance to determine. I would recommend, however, that you determine the number of banks to receive such funds, and that I be directed to advertise for proposals in manner and form as may be thought advisable by you.

ALONZO TANNER, Comptroller.

Filed, and so much thereof as relates to office for Chief of Police and Police Stations, referred to Committee on Police and Comptroller, with power, and balance referred to Committee on Finance.

FROM THE CITY ATTORNEY.

I hereby report that the judgement recovered against the city by George Williams, has been reversed by the County Court.

I also report that there are four causes in which the city is a party, on the calendar for the next term of the Court of Appeals, which opens in the city of New York on the 26th inst. It will be necessary for me to go to New York to attend said Court, and I respectfully ask that an order for $50 be drawn in my favor on the General Fund, to pay the expense of such attendance.

GEORGE WADSWORTH,
City Attorney.

Filed, and order directed to be drawn, and Attorney directed to report bill of expenses.

FROM THE STREET COMMISSIONER.

GENTLEMEN: My attention has been called to Niagara street, at the southerly end of the bridge across Scajaquada Creek. The street has settled and the paving stone and platforms have been washed from their places on the easterly side of Niagara street, from the bridge to a point about 40 feet southerly therefrom; and on examination I find that, in order to make a permanent repair, it will be necessary to excavate the dirt down to the hard earth, or foundation, and fill the same with stone chips and concrete sufficiently to secure the stone and paving. And I also recommend that receivers be constructed at Bird and Forest avenues, on the easterly side of Niagara street, to pass off a portion of the water accumulating on Niagara street and prevent accidents hereafter, as the accumulation of water is greater than can pass in the present receivers, thus flooding the entire street.

The expense of the repair above named will probably be between $50 and $100. The water now passes under the wall and crib-work at the bridge, and if the repair is not immediately made, the expense will probably be greatly increased.

L. J. WATERS, Street Commissioner.

Referred to Committee on New Territory, with power.

FROM THE CITY SURVEYOR.

In compliance with your order of March 11th, 1861, I submit herewith a plan and estimate for constructing stone abutments for the bridge across Cazenovia Creek, on the Cazenovia road, between the Aurora Plank Road and the Abbott road, in accordance with a specification on file in my office:

ESTIMATED COST.

185 Cubic yards earth excavation, at 14c.....	$ 25 90
148 " " masonry, in cement, at $4 50.....	666 00
Total.....	$691 90

PETER EMSLIE,
City Surveyor.

Referred to Committee on New Territory.

PETITIONS.

Of Joseph Barnes, for declaration of sale on lot on north side of North Canal street, lying 281 78-100 feet west of Emslie street.

Of Lyon & Co., to have certain local fund orders paid.

Of M. Cadwallader, to have duplicate order drawn. Referred to Committee on Finance.

Of sundry persons, for crosswalk on Fifth street, corner of Virginia.

Of Frank Valentine and others, to have sidewalk reconstructed on the westerly side of Park street, between Virginia and Allen streets. Referred to Committee on Side and Crosswalks.

Of sundry persons, (of Fort Erie,) to have terminus of Black Rock Ferry located at Ferry street.

Of sundry persons, for same.

Of sundry persons, to have Ferry located at Albany street. Referred to Committee on Wharves, Harbors and Ferries.

Of D. S. Bennett, for permission to remove a frame building from Water street to Colt Slip, (south of Clark & Waterman's Ice House.)

Ald. Howard moved to grant the prayer of the petition, under the direction of the Street Commissioner, and subject to the further order of the Council. Carried.—Ayes, 21; Noes, 0.

Of Elizabeth Frazier, for release of Thomas Frazier from the Penitentiary.

Ald. Howell moved that the prayer of the petitioner be granted. Carried. Ayes, 21; Noes, 0.

ACCOUNTS REFERRED.

Wesley Emmons, for labor and materials to sundry schools.

Same, for labor and materials for public school No. 4.

Henry Mochel, for repairing wood shed in school district No. 22. Referred to Committee on Schools.

W. I. Williams, for constructing a wood culvert across William street, near the water course, between the New York Central Railroad and the Williamsville road.

Same, for repairing wood culvert across Delaware Place on southeasterly side of Virginia street. Referred to Committee on Streets.

Geo. Day, for sundries for Fire Department. Referred to Committee on Fire.

Felthousen & Russell, for stoves for Council Chamber.

Same, for sundries for City Building.

George Day, for same. Referred to Committee on Claims.

Benjamin Toles, for commitments to Penitentiary.

J. O. Hopkins, for same.

Felthousen & Russell, for dark lanterns for Police Department.

J. M. Daniel, for wood for Chief of Police. Referred to Committee on Police.

E. Bachelder, for services as Porter to Niagara Market in 1861.

George Day, for sundries for Chippewa Market. Referred to Committee on Markets.

Alvin Joslyn, for repairing bridge across ravine on Elk street, 400 feet easterly of Dole street. Referred to Committee on New Territory.

J. B. Mason for firing salutes at reception of Mr. Lincoln. Referred to Special Committee on that subject.

Ald. Howard moved that the regular order of business be suspended for the purpose of going into the Committee of the Whole. Carried.

Ald. Howard moved that the Common Council do now resolve itself into the Committee of the Whole for the purpose of the further consideration of the Comptroller's Statement. Carried.

Ald. Beckwith was called to the chair.

The Committee of the Whole rose, and by their Chairman, Ald. Beckwith reported that the Committee had considered the Comptroller's Statement, by items, had made some alterations thereto, and had fixed the aggregate of the several departments as follows—

ESTIMATES FOR THE SEVERAL DEPARTMENTS FOR THE YEAR 1861.

Mayor's Department, 1861.....			$1,950 00
Common Council " "			7,850 00
Comptroller's " "			5,925 00
Treasurer's " "			2,449 00
City Surveyor's " "			3,000 00
Assessors' " "			4,800 00
City Clerk's " "			3,775 00
Poor Master's " "			1,900 00
Auditor's " "			1,000 00
City Attorney " "			3,800 00
Board of Health " "			4 295 00
Receiver of Taxes " "			3,900 00
Street Commis'r's " "			8,206 25
Fire " "			23,000 00
Police " "			29,900 00
City Hall & Porters " "			1,900 00
Public Grounds " "			850 00
Harbor Masters' " "			1,200 00
Superior Court " "			9,500 00
Lamp " "			21,950 00
Hydrant & Water " "			12,900 00
Market " "			3,000 00
Election Expense " "			1,600 00
Fourth of July, &c. " "			1,500 00
Dredging Buffalo Harbor outside North Pier Department, 1861.....			3,000 00
Dredging Buffalo Harbor inside North Pier Department, 1861.....			3,000 00
Principal on Funded Debt.....	$27,000 00		
Less amount provided for.....	26,000 00		
			1,000 00
Interest on Funded Debt.....		$56,074 43	
Less amount provided for.....		$16,512 57	
			39,561 86
School Fund.....		$79,892 00	
Less am't received from State.....		$24,652 13	
			55,239 87
Interest on General Fund Orders Department			1,000 00
Erroneous Taxes.....			200 00
Total Amount of Estimates.....			$263,151 93

REVENUES AND RESOURCES.

Balance from General Fund, 1860		$9,000 00
Additions to General Tax, 1861, by Receiver		5,000 00
Fees and interest collected by Comptroller		8,750 00
Interest on deposits		6,500 00
Fines and Penalties		2,000 00
Licenses		2,300 00
Elk Street Market Rents	$2,150 00	
Washington Street Market Rents	1,450 00	
Clinton " "	300 00	
Niagara " "	200 00	—4,100 00
From Local rolls for publishing notices, &c		300 00
" Erie County on account of Board of Health		300 00
Total Amount of Resources		$38,250 00
Amount to be raised by tax		$224,901 98

Ald. Howard moved that estimated expenses of the several departments, for the year 1861, be fixed in the aggregate for each department, as reported from the Committee of the Whole, and that the total amount of such estimates be fixed at $263,151 98. Carried.

Ald. Howard moved that the estimated Revenues and Resources be fixed as reported from the Committee of the Whole, and that the total of such Revenues and Resources be fixed at $38,250. Carried.

Ald. Howard moved that the amount to be raised by tax, be fixed as reported from the Committee of the Whole at the sum of $224,901 98. Carried. Ayes, 19; Noes, 3.

Ald. Howard moved that the City Clerk be directed to cause the Comptroller's Statement for the year 1861, as amended, to be published for six days in the City paper, and in the Buffalo *Telegraph*. Carried.

Ald. Storck moved that when this Council adjourns it adjourn until two minutes past 7 o'clock this evening. Lost.

The Common Council then adjourned to meet next Monday afternoon, March 25th, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 12.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, March 25, 1861,
at 2 o'clock, P. M.

Present.—Asaph S. Bemis Esq, President of the Council, and Aldermen Adams, Allen, Beckwith, Bush, Crowder, Dorr, Goembel, Grass, Howard, Howell, Jones, Mills, Rutter, Savage, Scheu, Schwartz, Storck and Wheeler.

Absent—Aldermen Felton, Hanovan, Palmer, Pratt, Russell, Walsh and Yaw.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM THE MAYOR.

MAYOR'S OFFICE,
Buffalo, March 20, 1861.

To the Hon. Common Council:

GENTLEMEN.—I have convened you together this day for the purpose of reconsidering your action in establishing the "estimates" of expenditures for the present year.

The estimates must be published six days before confirmation, which is to be done by the first of April, and requires my approval, which I have as yet withheld, and therefore have been obliged to call this special meeting, as but little time remains for action.

In the proceedings of your honorable body of the 18th inst. you have made no provision for the payment of bonds to the amount of $15,000, which were issued June 1, 1852, and become due in the city of New York June 1, 1862, and the further amount of $11,000, issued June 1, 1854, and due in this city June 1, 1862.

Title 5, sec. 6 of the Charter reads as follows, (referring to the estimates:) "In such amount shall be included the sums required for the support of the free schools of the city for twelve months, and to pay such principal and interest of such portion of the funded debt of the city as shall be due or fall due within eighteen months after the said first day of April, and is not otherwise provided for; the amount determined upon shall be raised as a gross tax on one assessment."

This portion of the Charter is intended to provide means for the payment of the funded debt of the city beyond any contingency, and requires the money to be raised in the year prior to the debt becoming due.

I learn that an indefinite agreement has been made by the Comptroller with some of the Savings Banks in this city to pay, or advance the money to pay, the bonds before mentioned, and hold them until such time of payment as may be agreed upon by the parties. If such an agreement should be entered into, it would be merely a mode of borrowing money not sanctioned or warranted by the Charter.

I doubt the propriety of postponing the payment of the funded debt, believing that it is policy for the taxpayers to submit to the payment of a portion of that debt annually, than to raise yearly a large sum of money to pay interest which now amounts to nearly one-sixth of the entire tax. The amount of interest to be provided for this year amounts to $89,561 86. It is not, however, upon a question of expediency that I have called this meeting, but because I am well satisfied that you have not obeyed the demands of the Charter.

Very respectfully,
F. A. ALBERGER, Mayor.

Laid on the table.

FURTHER FROM THE MAYOR.

MAYOR'S OFFICE,
Buffalo, March 25th, 1861.

To the Hon. Common Council:

GENTLEMEN:—On the 19th inst., I caused notices to be served on the members of your Hon. Body in the city calling a special meeting on the 20th inst. The object of the call is stated in a communication bearing date the 20th inst. I very much regret that not a sufficient number to form a quorum of your Hon. Body, saw fit to obey the summons, and as I had therefore exhausted all the means in my power to have you reconsider the "estimates" prior to their publication—which I deemed eminently proper—I afterwards signed the proceedings and authorised their publication.

Since the message of the 20th inst., I have carefully reviewed this subject and cannot refrain in this communication from again recommending that your Hon. Body make provision for the funded debt, as contemplated by the charter. If a contrary course is pursued, your Hon. Body will, in my opinion, establish a precedent that will look to creditors, who hold large amounts of city bonds, as a species of repudiation, which may materially affect the credit of the city, and which must seem to our citizens as a neglect of duty. So long as we have a charter let us abide by it and adhere strictly to its provisions, as experience teaches the danger and folly of being governed by the immediate circumstances that may surround the legislator, rather than by the careful, well-digested and conservative action of the framers of the charter, whose wisdom in this instance has not been questioned.

I have not offered the rewards for the detection and conviction of incendiaries, &c., as contemplated in your resolutions of the 11th inst., as on examination of the minutes furnished by the Clerk, I find they were not adopted by a two-third vote, as directed by the charter.

Very respectfully,

F. A. ALBERGER, Mayor.

Laid upon the table.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

COMPTROLLER'S OFFICE,
Buffalo, March 20, 1861.

To the Hon. the Common Council:

GENTLEMEN—I am satisfied from the assurances I have received from the Receiver of the Reciprocity Bank, that that the city will receive during the present year much the largest part of the indebtedness due from that institution on account of deposits made by the late Receiver. The amount of such indebtedness at this date, including interest, is $26,660 84. The said Receiver assures me that at least three-fourths of this amount will be paid during the year. I think it will be safe to estimate as a resource from this debt $15,000, and $1,198 07 on account of other security in the nature of a well secured note due June 1, 1861. I would therefore recommend you to increase the estimate already submitted in round numbers $16,000.

By adding $770, one year's interest, to the $11,000 bonds issued Oct. 20, 1852, and striking out $788 91 added by you at your last meeting, will make $55,290 52, less $16,512 57 already provided, the amount for interest on the funded debt, making in fact the gross amount $38,-777 95 to be raised by tax. This is on the supposition that you provide for the payment of the funded debt as at first submitted by me deducting the said Ship Canal bonds.

Respectfully,

ALONZO TANNER, Comptroller.

Laid upon the table.

The Comptroller also reported the amounts that will be due the several city officers, for salary, for quarter ending April 1st.—Filed and subject matter referred to the Committee on Claims.

The Comptroller also reported the amounts that will be due on the 1st of April, to the several persons employed in his office.—Filed and subject matter referred to Committee on Claims.

The Comptroller also reported the amounts that will be due on the 1st of April, to sundry persons for rent of rooms, for office of Chief of Police—Filed, and subject matter referred to Committee on Claims.

The Street Commissioner reported the amounts that will be due on the 1st of April, to the persons employed in his office.—Filed, and subject matter referred to Committee on Claims.

FROM THE CITY SURVEYOR.

In compliance with your order of March 11th, 1861, I advertised ten days for proposals, for widening, straightening, and enlarging Buffalo Creek, at the Toll Bridge, on Ohio street, by excavating a channel 50 feet wide, and 12 feet deep, and building crib work, on the northerly side of said channel. I submit herewith an abstract of the proposals received:

Strong & Richardson—$5,930.
Ambrose Clark—$6 249 40.
Henry Barnes—$6,658 20.
Louis D. Voltz—$7,599 30.
A. S. Swartz—$8,554 40.
James Duffey—$8,804.

PETER EMSLIE,
City Surveyor.

—Referred to Committee on Streets.

The City Surveyor also reported the amounts that will be due on the 1st of April, to the several persons employed in his office.

Filed, and subject matter referred to the Committee on Claims.

The Receiver of Taxes reported the amounts that will be due on the 1st of April, to the several persons employed in his office.

Filed, and subject matter referred to Committee on Claims.

The City Clerk reported the amounts that will be due on the 1st of April to the several persons employed in his office.

Filed, and subject matter referred to Committee on Claims.

The City Clerk also reported that the report of the Commissioners appointed by the Superior Court of Buffalo to ascertain and report the just compensation to be paid to the person or persons owning or having an interest in the land and property necessary to lay out and extend Katharine street, fifty feet wide, from the southerly termination of said Katharine street, as now laid out, to a point 551 feet southeasterly from the northerly line of lot No. 192, was filed with him on the nineteenth day of March, 1861, signed by all of said Commissioners.

Time for consideration fixed for two weeks from to-day, and the Clerk directed to publish necessary notice.

Assessment roll No. 2267 For constructing a brick sewer in Breckenridge street from the easterly line of North Washington street westerly to the Erie Canal—amount $2,505—the time for the consideration of which and of the objections thereto had been fixed for to-day, was taken up. Time for consideration postponed for two weeks.

Assessment roll No. 2376. For the purpose of paying the just compensation awarded to the person or persons owning or having an interest in the land and property taken to lay out Carlton street, from the easterly line of Main street to the northwesterly line of Genesee street, together with the costs and expenses of the ascertainment—amount $3,573 67—the time for the consideration of which and of the objections thereto had been fixed for to-day, was taken up. Time for consideration postponed for three weeks.

FROM THE HARBOR MASTER.

I respectfully call to your attention the fact that a sunken hulk of a vessel or scow now lies in the way of navigation, just below the Buffalo Elevator; said hulk supposed to belong to Capt. Gager. Its early removal is very necessary.

LEVI VALLIER, Harbor Master.

Referred to Committee on Wharves, Harbors and Ferries.

The written resignation of Andrew J. Buck and of the office of Commissioner of Deeds, was presented. Filed, and resignation accepted.

Whereupon, Ald. Wheeler moved that Hiram A. Kimball be and he is hereby appointed Commissioner of Deeds in place of Andrew J. Buckland, resigned. Carried.

PETITIONS.

Of Thomas Edmonds, to have money for a certain tax scrip paid to him. Referred to Committee on Finance.

Of John C. Clifford, to raise wing of frame building on the south side of North Church, one story. Referred to Committee on Fire.

W. Murray and others, for the extension of the lamp district on Park street. Referred to Committee on Public Lamps.

Of sundry persons, to have obstructions removed from Vermont street. Referred to Committee on New Territory.

Of Augustus G. Goold, for a fireman's certificate.

Of Wm. R. Deacon, for same.

Of Stephen Reimann, for same.

Of J. B. Mason, for same.

Of Joseph Clark, for same.

Of Peter J. Watts, for same, (duplicate.) Referred to Fire Commissioners, with power.

Petition of Jacob Zimmerman, Jr., for permission to erect a frame building, 20 by 30 feet, one story high, on southwest corner of Genesee and River streets.

Ald. Goembel moved that the prayer of the said petition be granted, under the direction of the Fire Marshal, and subject to the further order of the Council.

Ald. Howard moved to refer to Committee on Fire. Carried.

Petition of L. K. Bogert, to remove barn from rear of premises No. 331 Washington street, to lot corner of Clinton and Elm streets.

Ald. Storck moved that the prayer of the petition be granted, under the direction of the Street Commissioner, and subject to the further order of the Council. Carried. Ayes, 18 ; Noes, 0.

Petition of the Buffalo Street Railroad Company for an extension of time for completing the Genesee, Batavia and Ohio street Railroads.

Whereupon Ald. Howard offered the following resolution :

Resolved, That the time for the construction, completion and putting in operation of the Batavia, Genesee and Ohio street railroads, respectively, by the Buffalo Street Railroad Company, be and the same is hereby extended thirty days from the respective times now limited for the completion of the same respectively.

Ald. Storck moved as an amendment to strike out so much as relates to the Genesee and Batavia street roads. Lost.

And the said resolution was then adopted. Ayes, 18 ; Noes, 0.

REMONSTRANCES.

Of sundry persons against working Ferry street to the established grade, between Elmwood Avenue and a point westerly therefrom, and allowing the contractor to remove the surplus earth. Referred to Committee on New Territory.

ACCOUNTS REFERRED.

C. Jamison, for sawing wood for School District No. 26. Referred to Committee on Schools.

Hiram Barton, for services as Commissioner in the matter of extending Katharine street.

Fayette Rumsey, for same.

Wm. W. Mann, for same. Referred to Committee on Streets.

W. I. Williams, for repairing sidewalk on the northerly side of Tupper street, between Main and Franklin sts. Referred to Committee on Side and Cross Walks.

Thos. B. French, for repairs for Fire Department. (2 ac'ts.)

Thomas M. Ottley, for oats for Fire Department.

William Taylor, for repairing hose.

D. C. Weed & Co., for sundries for Fire Department. Referred to Committee on Fire.

Buffalo Water Works Co., for supply of water for quarter ending March 31, 1861. Referred to Committee on Water.

Hersee & Timerman, for repairs in Treasurer's office.

Felthousen & Russe'l, for labor, &c , in Surveyor's office.

Same, for stove in Surveyor's office.

H. C. Brown, for grate in Superintendent's office.

H. A. Dann, for services in City Clerk's office, in January, 1861. Referred to Committee on Claims.

Adam Jones, for commitments to Erie County Penitentiary.

Geo. B. Mitchell, for same.

Stephen Thornton, for same.

Jacob Emerick, "

Eli Fontaine, "

Captains of Police, Clerk, and Policemen, for services during the months of January and February, 1861. Referred to Committee on Police.

Charles Kawmier, for services as keeper of Court House Park in January, 1861. Referred to Committee on Public Grounds.

John Maurer, for services as Health Inspector in January, 1861. Referred to Committee on Sanitary Measures.

REPORTS OF COMMITTEES.

Ald. Howard, from the Committee on Finance, reported in favor of the adoption of the following resolutions :

That upon the filing of the petition of Joseph Barnes, together with the proofs accompanying same, with the Comptroller, in which said Barnes asks for a declaration of sale on certificate of tax sale No. 912, of the sale of June 23d, 1858, of lot on north side of North Canal street, part of farm lot No. 16, lying 231 78 100 feet west of Emslie street, being 50 80-100 feet front in depth to alley, the said Comptroller be directed to execute and deliver to said Barnes a declaration of sale thereon in the form prescribed by the Charter. Adopted.

That permission be, and is hereby granted to Wm. P. Fisher, to withdraw his petitions asking for declarations of sale on certificates of tax sale Nos. 163, 180, 224 and 226 of the sale of June 23d, 1858, together with the papers accompanying said petitions. Adopted.

That the prayer of the petition of Henry Hart, asking for the remission of the general city tax for 1860 assessed to him, be and the same is hereby denied. Adopted.

Ald. Wheeler, from the Committee on Schools, reported in favor of allowing the following account, and of drawing an order for same :—

Margaret Newman, for cleaning School House, No. 3—$12 00. Adopted.

Also, in favor of the adoption of the following resolution :—

That the Comptroller be, and he is hereby directed to demand and receive from the County Treasurer, the amount of school monies appropriated by the State for 1861, and, on receiving the same, to pay same into City Treasury, and report to this Council. Adopted.

Ald. Howell, from the Committee on Streets, reported in favor of allowing the following accounts, and of drawing orders for the same :—

Lauren Williams, for repairing wood culvert across Palmer street, on south-east side of Maryland street—$3 50.

William Mensch, for repairing Carolina street, between Tenth and Eleventh streets—$5 75.

C. Bull, for repairing bridge across Evans ship canal on Erie street—$13 75.

Lauren Williams, for same—$1 00. Adopted.

Also, in favor of the adoption of the following resolutions :—

That the Street Commissioner contract with Moses Baker for removing the dirt, &c., from the paved streets, &c., until the 1st day of January, 1864, at a sum not exceeding $2,650 per year, or an aggregate of $7,950.

Ald. Howell moved to refer same back to Committee on Streets for one week. Carried.

That the grade of Franklin street from North street to Allen street, be, and the same is hereby established as follows, to wit :—Commencing in the center of said Franklin street, at its intersection with the southerly line of North street, at an elevation of 91.30 feet above the base line of levels; thence southerly along the center of said street, rising 1.063 feet, 100 feet for a distance of 160 feet; thence level for a distance of 175 feet; thence falling 2.34 feet per 100 feet for a distance of 115 feet; thence falling 3 846 feet per 100 feet for a distance of 546 feet to the North line of Allen street, at an elevation of 69.30 feet above the base line of levels.

Laid upon the table temporarily, and afterwards taken up and referred back to the Committee on Streets.

That the width of the carriageway in Franklin street, from North street to Allen street, be and the same is hereby fixed and established at thirty-four feet.

Laid on the table temporarily, and afterwards taken up and referred back to the Committee on Streets.

That it is hereby ordered and determined by the Common Council of the City of Buffalo, that Buffalo Creek be widened, straightened and enlarged at the Toll Bridge on Ohio street, in accordance with a plan and survey of said proposed improvement, on file in the City Surveyor's office, by excavating a channel fifty feet in width with 12 feet depth of water, and protecting the same on the northerly side thereof with crib work.

Laid on the table temporarily, and afterwards taken up and withdrawn.

That the culvert across Genesee street, on the westerly side of Johnson street, continued, be repaired at an expense not exceeding $15, and the Street Commissioner is hereby directed to cause the same to be done, and report to this Council. Adopted.

Ald. Brush, from the Committee on Sewers, reported in favor of the adoption of the following resolutions :

That the City Assessors be directed to assess $46 60, for constructing a receiver in the Emslie street sewer, at a point where it crosses the bed of the Little Buffalo Creek, between Seneca and North Canal streets. Adopted.

That the City Surveyor be, and he is hereby directed to report to this Council, at its next meeting, the length and average depth of excavation necessary for the construction of a sewer, in the southerly side of Seneca street, from the old City Line to, and to connect with the present sewer in said Seneca street, and also to submit a plan of said proposed sewer. Adopted.

Ald. Swartz, from the Committee on Side and Crosswalks, reported in favor of allowing the following account and of drawing order for same.

Wm. I. Williams, for repairing sidewalk on southwest side of twelfth street, between Hudson and Pennsylvania streets—$57 96. Adopted.

Ald. Yaw, from the Committee on Fire, reported in favor of the adoption of the following resolutions :

That the Fire Marshal be and he is hereby directed to prepare a plan and specifications for a barn to be erected on the rear of lot occupied by house in which the steam fire engine "City of Buffalo is located, and submit such plan and specifications to the Committee on Fire, for their approval, and when the same are approved by said Committee the said Fire Marshal be and he is hereby directed to advertise for five days in the official paper for proposals to erect such barn in accordance with such plan and specifications, and report such proposals as he may receive to the Council. Adopted.

That the Fire Marshal be and he is hereby authorised to purchase two sets of harness for the horses for the new steamers, at an expense not exceeding eighty dollars. Adopted.

That permission be and is hereby granted to Wm. F. & Chas G. Miller to erect a brick building, one story high, on lot on west side of Commercial street, about 74 feet north of Water street, under the direction of the Fire Marshal, and subject to the further order of the Council, and provided they will erect safe and suitable chimneys thereto. Adopted. Ayes, 16; Noes, 0.

That permission be and is hereby granted to Mrs. Mary B. Heneage to erect a wooden building, 22 by 32 feet, and two stories high, with a wing thereto 15 by 39 feet, and from one to one and a half stories high, on her lot on Seventh street, about 55 feet north from Hospital street, under the direction of the Fire Marshal, and subject to the further order of the Council, provided, however, that said petitioner will erect safe and suitable chimneys to said building. Adopted. Ayes, 17; Noes, 0.

That permission is hereby granted to Martin Beyer to erect a wooden car, 9x24 feet, and 7 feet high, on the corner of Sycamore and Michigan streets, to be used as a photograph gallery, the same to be erected under the direction of the Fire Marshal, and subject to the further order of this Council. Adopted. Ayes, 16; Noes, 0.

That permission be, and is hereby granted to Edwin Hardy, to move his house situate on lot on south side of Cary street, commencing 202 feet west of Morgan street, from its present location, forward on said lot to within 10 feet of the front line thereof, and to raise said house so as to correspond with the established grade of said street,

and also, to erect a wooden kitchen 14x10 feet in the rear thereof, provided, however, that he shall erect safe and suitable chimneys to such addition, the whole work to be done under the direction of the Fire Marshal, and subject to the further order of the Common Council. Adopted. Ayes, 17; Noes, 0.

Also, reported that the Committee on Fire had, in pursuance of the power vested in said Committee, by the Council, contracted with Wm. I. Williams to erect a brick barn in the rear of Engine House on Niagara street, for the sum of $285 50, the said Williams being the lowest bidder. Received and placed on file.

Ald. Jones, from the Committee on Water, reported in favor of the adoption of the following resolutions:

That a public well be constructed at the north-west corner of Michigan and Carlton Streets, and that the Street Commissioner cause said well to be completed, and report. Laid upon the table temporarily.

Said resolution was afterwards taken up.

Ald. Jones moved the adoption of the same. Lost for want of a two-thirds vote. Ayes, 12; Noes, 6.

Ald. Howard moved that the vote last taken on said resolution be reconsidered. Carried.

The said resolution was then, on motion of Ald. Howard, referred back to the Committee on Water.

That the public well located on the southerly side of Eagle street (about 400 feet easterly from Michigan street, and) between Michigan and Pine streets, be repaired and deepened, by taking out the dirt and drilling the rock at the bottom, at an expense not to exceed one hundred dollars; and that the Street Commissioner is hereby authorized and directed to cause the same to be done, and report the expense, that the same may be assessed in accordance with the provisions of the charter of the city in such cases made and provided. Adopted.

Also, in favor of allowing the following accounts, and of drawing orders for same, viz:

Klein & Dobinson, for repairing pump to the well a the corner of Jefferson and William streets—$2 25.

Same, for same, in Hampshire street, between Tenth and Eleventh streets—$2 25.

Same, for same, in Eleventh street, between Rhode Island and Vermont streets—$1 50.

Same, for same, at the junction of Eagle street and the Terrace—$3.

Same, for same, in Batavia street, between Michigan and Pine streets—$1 25.

Same, for same, at the corner of Palmer and Virginia streets—$1 94.

Same, for same, at the corner of Palmer and Maryland streets—$2 37.

Same, for same, at junction of Pearl, Erie and Swan streets—$2 75.

Same, for same, at the corner of Washington and Swan streets—$1 75.

Same, for same, at the corner of Niagara and Hudson streets—$2. Adopted.

Ald. Mills, from the Committee on Police, reported in favor of the adoption of the following resolutions:

That the City Attorney is hereby directed to defend a suit brought against Thomas Lord, by one Adams, for conduct while in the discharge of his duty as policeman. Adopted.

That an order be drawn on the General Fund, 1860, Police Department, in favor of John Butler, for $20, in full for services as policeman from July 16th to August 10th, 1860. Adopted.

That the City Attorney be directed to commence proceedings against Mr. Charles Gardner, late Watch House Justice, for the recovery of all monies in his possession belonging to the City. Adopted.

That the petition of sundry persons to have wood measurers appointed, be denied, and that the petitioners have leave to withdraw said petition. Adopted.

That the petition of sundry persons to have an ordinance passed regulating the sale of lime, be denied, and that petitioners have leave to withdraw said petition. Adopted.

That the City Attorney be directed to report as to the right of Eward Bennett to hold the office of Policeman and Constable at the same time. Adopted.

Also reported the following chapter of proposed ordinances, and recommended that same be printed and referred to the Committee of the Whole. Adopted.

CHAPTER XV.

OF THE POLICE, AND THE PREVENTION OF GAMING AND DISORDERLY PRACTICES.

§ 1. The policeman shall, upon the discovery of fire, ring the alarm bells, except the bell at the corner of Batavia and Ellicott streets, and it shall be their duty, as soon as possible after the locality of the fire is discovered, to report the same to the keeper of the bell tower, whose duty it shall be to report, by sounding of his bell, the fire district in which such fire shall be.

§ 2. The Policemen shall apprehend and detain, until daylight, all offenders against the peace, and all persons who may obstruct or endanger them, or any of them, in the execution of the duties of their office, or who shall be guilty of any disorderly conduct, or shall be engaged in any riots, rows, unlawful assemblages, outcries, noises, insurrections, or other alarm or disturbance whatsoever, or shall aid, abet or assist, or countenance others, in the commission of either of the said offences. The Policemen are also authorized to enter any dwelling-house, store, grocery, or other building, where any felon is harbored or secreted, or where persons are who have, during the night, and in their presence or hearing, committed any breach of the peace, or where any felony or breach of the peace is about to be committed, or where any noise or alarm, outcry, or other disturbance shall be made, in like manner as the Mayor, or either Alderman, Constables, and other peace officers are authorized by law.

§ 3 All persons apprehended by the Police officers, shall be kept in the station houses, without danger from the severity of the cold; and the sexes shall be kept apart. The city shall be, and hereby is, divided into four Police Districts, which are bounded as follows:

District No. 1—Shall be bounded easterly by Michigan street, southerly by Lake Erie, westerly by York street, and northerly by Sixth street to its intersection with Eagle street; thence along the centre of Eagle street, easterly to Michigan street;

District No. 2—Shall be bounded northerly by Eagle street; easterly by Jefferson street and the easterly line of the old city limits; southerly by Lake Erie; westerly by Michigan street;

District No 3—Shall be bounded northerly by North street; easterly by Washington street; southerly by

Eagle street and Sixth street, and westerly by York and North streets;

District No. 4—Shall be bounded northerly by North street, from Washington street to Jefferson street, and by Genesee street from Jefferson street to German street; easterly by Jefferson street, from North street to Genesee street, and by German, Sherman and Emslie streets, from Genesee street to Eagle street; southerly by Eagle street; and westerly by Washington street.

The watch house between the Erie canal, Evans street, and the Terrace, is hereby designated Police Station-house No. 1.

The house heretofore occupied as a Police Station on Carroll street, between Chicago and Louisiana, is hereby designated Police Station-house No. 2.

The watch house on Mohawk street is hereby designated Police Station-house No. 3.

The house on the northerly side of Sycamore street, near Ash street, now occupied as a Police Station, is hereby designated Police Station-house No. 4.

§ 4. No person shall keep, or allow upon his premises, within this city, any billiard table, ball-alley, or any instrument of gaming, upon or with which money or other articles shall in any manner be played for, under a penalty of twenty-five dollars for each and every offence.

§ 5. Every person keeping or residing, or being an inmate of, or in any way connected with, or who shall in any way contribute to the support of a disorderly house, house of ill-fame, or assignation house, or keeping a gaming house, shall forfeit the penalty of fifty dollars for each and every offence. Every person who shall knowingly lease any premises to be used as a house of ill-fame, disorderly house, assignation house, or gaming house, shall forfeit the penalty of twenty-five dollars for each and every offence. Every person or persons who shall allow or permit his, her or their house, shop, store or other place connected therewith, to be used, frequented or resorted to, by riotous or disorderly persons, gamblers, vagrants, or prostitutes, between the hours of five o'clock in the evening and seven o'clock in the morning, shall forfeit and pay, for each offence, the sum of fifty dollars; and every person who shall make, or assist in making, any riot, noise or disturbance, at any house, shop, store, or other place, within the city, where dancing or other amusements are permitted, shall forfeit the sum of fifty dollars for each and every offence. It shall be the duty of every policeman to report all violations of this ordinance to the Chief of Police, whose duty it shall be to prosecute for the same forthwith.

§ 6. Any person who shall make, or assist in making, any riot, noise, or disturbance, in this city, or shall aid or countenance any disorderly assemblage, or who shall be engaged in, or participate in, any cock fighting in this city, shall forfeit a penalty not exceeding fifty, or less than five dollars, to be fixed and imposed by the justice, courts or officers before whom a conviction shall be had.

§ 7. No person shall swim or bathe in any creek, canal, basin or slip, or in the Niagara river, within the bounds of this city, nor in the lake, within eighty rods of the south side of the pier, between the hours of five o'clock A. M. and nine o'clock P. M., under a penalty of three dollars for each and every offence.

§ 8. No person shall ring any bell or bells, or blow any horn, or make any public outcry, at or for any public sale, auction, or vendue, or to attract any attention to or gain passengers for any cab, hack, hackney-coach, or omnibus, in any public street in the city, under the penalty of five dollars for each and every offence.

§ 9. No person shall hold any public sale, auction, or vendue, on any sidewalk or platform, in front of any store or building in said city, or in any street or highway, without privilege from the Mayor, under the penalty of ten dollars for each and every offence.

§ 10. The Mayor is hereby authorized and empowered to license such persons as he may think proper, to act as runners or solicitors for passengers within the city of Buffalo. The persons so licensed shall be citizens of the United States, and of the age of twenty-one years, and they shall pay for such license the sum of twenty dollars, and shall give satisfactory bonds, in the penal sum of three hundred dollars, with one or more sureties, to be approved by the Mayor, as security for their quiet and proper behavior; and they shall conform, at all times, to such rules and regulations as the Mayor shall prescribe. Such licenses shall be subject, at all times, to be revoked by the Mayor, or by order of the Common Council; and shall expire on the first Tuesday of April in each year. Any person who shall, within the city of Buffalo, act as a runner or solicitor for any boat, stage, or railroad, public-house, boarding-house, tavern, or other establishment, without license, shall forfeit and pay to the city the sum of twenty-five dollars for each and every offence.

§ 11. Every person acting as a runner or solicitor for passengers within the city of Buffalo, who shall, at any railroad termination, steamboat landing, or canal packet or line boat landing, or in or upon any street, lane, alley, dock, or pier, within the city of Buffalo, use indecent or profane language, or be guilty of loud and boisterous talking or hallooing, or of disorderly conduct, or obstruct any cross or sidewalk, or any gangway leading into any railroad depot, or on board of any boat, shall forfeit and pay, for each offence, the sum of ten dollars.

And the mayor is hereby authorized to make such regulations, and give such directions in reference to the said runners or solicitors, as may be necessary to preserve order and promote the public convenience; and any runner or solicitor who shall refuse to obey such regulations or directions shall forfeit and pay for each offence the sum of ten dollars; and the mayor is also authorized and empowered to designate one or more of the police officers or policemen, whose duty it shall be to see that this ordinance is enforced, and to report all violations of it to the mayor.

§ 12. Every person, being a vagrant, mendicant, street beggar, common prostitute, or gambler, in the city of Buffalo, shall, upon conviction, forfeit a penalty of twenty-five dollars for each and every offence.

§ 13. No person shall peddle, sell, or offer for sale, barter, or exchange, any fruit, nuts, cakes, refreshments, bread, jewelry, or merchandise of any kind, in, upon, or along any wharf, dock, street, sidewalk, alley or public square, of this city, without license, under a penalty not exceeding fifty, nor less than two dollars, and imposed by the justice, courts, or officers before whom a conviction shall be had.

§ 14. It shall not be lawful for any person or persons to play upon any bugle, or horn, or other instrument of

music, on any dock, or wharf, or in any street, or upon any boat or vessel, within the bounds of this city, between five o'clock, A. M. and ten o'clock, P. M., on Sunday, under penalty of ten dollars for each and every offence.

§ 15. No person shall cut any ice, or any holes therein, in any creek, canal, basin, or slip, within the bounds of this city, without first obtaining the permission of the street commissioner to do so, and inclosing that portion of said ice intended to be cut, with a suitable fence, under the penalty of twenty-five dollars for each and every offence.

§ 16. It shall not be lawful for any person to ride or drive over any swing or draw bridge, or any other bridge in this city, faster than a walk, under the penalty of five dollars for each and every offence.

§ 17. Every person who shall open or draw any draw or swing bridge in this city, shall close the same again within fifteen minutes after opening the same, under a penalty of five dollars for each and every neglect or offence.

§ 18. Every person who shall, before the hour of nine o'clock in the forenoon, be guilty of forestalling or regrating within this city, any meat, vegetables, fruit, poultry or provisions, shall forfeit the penalty of ten dollars for each and every offence.

§ 19. It shall not be lawful for any person to keep or open any store or shop for the selling of any goods, wares, or merchandise, or any barber shop, recess, ordinary or petty grocery, for the transaction of the business thereof on Sunday, within the city of Buffalo, under the penalty of ten dollars for each and every offence; but this prohibition shall not be construed so as to prevent the keepers of barber shops from opening their shops until twelve o'clock in the forenoon of any Sunday.

§ 20. There shall be no shooting, hunting, fishing, sporting, horse racing, playing of cards, dice, or billiards, or any other game whatever, with or without betting, frequenting of tippling houses, or any other unlawful exercises or pastimes, within the city of Buffalo, on the first day of the week, called Sunday. Every person offending against any of the provisions of this section, shall forfeit the penalty of ten dollars for each and every offence.

Ald. Storck, from the Committee on Markets, reported in favor of the adoption of the following resolutions:

That the following resolution, passed by the Common Council Dec. 31st, 1860, viz, "That the Chairman of the Committee on Markets be authorized to contract with H. S. Chamberlain to furnish and place iron grates in the windows of the Washington Market, at an expense not to exceed $2 77 for each window," be and the same is hereby adopted, notwithstanding the objections of his Honor the Mayor.

That an order for $273 40 be drawn on the Genera Fund, 1860, Market Department, in favor of H. S. Chamberlain in full for his account for grates for windows of the Washington Market. Laid on table for the present.

Said resolutions were afterwards taken up, and on motion of Ald. Adams referred back to the Committee on Markets.

Ald. Allen, from the Committee on Wharves, Harbors and Ferries, reported in favor of the adoption of the following resolution:

That the Common Council intend to order Buffalo Creek to be dredged from the west end of the north Pier, to the southerly side of South street. Adopted.

Ald. Adams, from the Committee on Public Lamps, reported in favor of the adoption of the following resolution:

That the Common Council of the City of Buffalo intend to extend the Lamp District on both sides of Allen street, from Delaware street to Bowery street, and on both sides of Bowery street, from Allen street to a point 527½ feet northerly from said Allen street, and the City Clerk is hereby directed to cause the necessary notice of such intention to be published. Adopted.

Ald. Savage, from the Committee on Sanitary Measures, reported in favor of allowing the account of C. C. Wyckoff, for vaccinating, by order of the Board of Health. Amount $200.

Ald Adams moved to refer said report back to the Committee on Sanitary Measures. Carried.

Ald. Crowder, from the Committee on New Territory, reported in favor of the adoption of the following resolution:

That the owners of land on the westerly side of Sixth street, between the southerly curb line of Fort street and a point 1,000 feet southerly therefrom, cause a sidewalk constructed three feet wide, of good pine plank, two inches thick, laid on oak bearers, within 10 days after notice from the Street Commissioner, and if not done within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $140, and report, and that the resolution passed on the 11th inst., ordering said work, be rescinded.

Laid upon the table temporarily.

Said resolution was afterwards taken up and adopted. Ayes, 18; Noes, 1.

Also in favor of allowing the account of Alvin Joslyn, for repairing bridge across the ravine on Elk street, about 400 feet easterly from Dole street, amounting to $9 61. Referred back to the Committee on New Territory.

Also in favor of the adoption of the following resolution:

That the Street Commissioner is hereby authorized and directed to advertise in the city paper, five days, for proposals to construct stone abutments, and also for oak abutments, for the bridge across Cazenovia creek, on the Cazenovia road, in accordance with the plan of the City Surveyor. Also for proposals to repair the bridge superstructure at the same point, and that the City Surveyor furnish the Street Commissioner the necessary plan and specification for the same. Adopted.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Adams, That the Fire Marshal be and he is hereby authorized to sell any of the hand fire engines, or old hose, now belonging to the city of Buffalo, at a price and on terms to be approved by the Fire Committee.—Adopted.

Also, that the Fire Marshal be authorized to purchase a team of horses, to be approved by the Fire Committee, at an expense not exceeding three hundred and fifty dollars. Adopted.

Also, that the Committee on Public Lamps be authorized to advertise for five days for proposals for lighting, extinguishing, and keeping in repair the public lamps and

their appurtenances, for the term of one year from the first day of May, 1861. Adopted.

Also, that the Fire Marshal be, and he is hereby directed to receive from Sidney Shepard one of the steam fire engines now being built for the city of Buffalo, unfinished, to be returned for finishing when the other engine is ready to be delivered. Adopted.

By Ald. Storck—That the Fire Marshal be authorized to publish, for one week, in the official paper and the German *Telegraph* for proposals to furnish 1,000 feet of linen hose for the use of the Fire Department. Adopted.

By Ald. Adams—That the action heretofore had by the Common Council of the City of Buffalo in prescribing terms, conditions and stipulations for constructing and operating a street railroad in Lafayette street, and in making a grant therefor, so far as the same does or can affect said Lafayette street, or the rights of owners of property thereon, be, and the same is hereby repealed. Adopted; Ayes 18, Noes 0.

By Ald. Bemis—That the Street Commissioner be, and he is hereby directed to advertise for five days in the City paper, for the use and occupation of suitable lots whereon to erect one or more City pounds; also to procure the services of suitable persons to keep said pounds; and report at the next meeting of this Council.

Ald. Allen moved to refer the same to the Committee on Streets. Lost.

The question was then taken on the adoption of said resolution, and the same was lost.

Ald. Mills moved to reconsider the last vote taken on said resolution. Carried.

Ald. Allen moved that said resolution be referred to the Committee on Streets

Ald. Howell moved as an amendment that the same be adopted. Lost. Ayes, 7; Noes, 10.

The motion of Ald. Allen was then carried.

By Ald. Adams—That the action of the City Clerk in causing the Comptroller's statement, as amended, to be published in the *Commercial Advertiser*, be and the same is hereby authorized and approved by the Common Council. Adopted.

By Ald. Howell—That the City Surveyor be and he is hereby directed to report to this Council a suitable grade for Rock street, west of Genesee street. Adopted.

By Ald. Storck—That the office of Constable in the Fourth Ward be and is hereby declared vacant, as there have been no bonds or securities filed by the person elected in said Ward at the last election. Adopted.

By Ald. Allen—That the Fire Marshal be authorized to put four inch hydrants in place of those now on Main street, from Exchange to Genesee street, and also to replace broken hydrants with same. Referred to Committee on Fire.

By Ald. Swartz—That the owners of land on the westerly side of Spring street, between Sycamore and Genesee streets, cause a sidewalk to be repaired. Referred to Committee on Side and Crosswalks.

By Ald. Allen—That the City Surveyor be and he is hereby is instructed to make a survey and plan for improving the west end of the North Pier, and estimate the expense of removing 80 feet of same, and dredging where it now stands, so as not to obstruct navigation, and report. Adopted.

By Ald. Allen—That the Common Council intend to repair Buffalo Creek, by causing a portion of the old North Pier to be removed, and to dredge where said Pier is removed so as to give the usual depth of water, and that the Clerk give the usual notice.

Referred to Committee on Wharves, Harbors and Ferries.

Ald. Allen moved that the steam fire engine known as the "C. J. Wells" be named and hereafter known as "The Seneca Falls." Lost.

By Ald. Jones—That the steamer to be located on Niagara street, in engine house lately occupied by No. 6, be named the "Niagara." Adopted.

By Ald. Crowder—That the Street Commissioner cause a plank crosswalk repaired across Virginia street, on the south west side of tenth street. Referred to Committee on Side and Cross Walks.

By Ald. Crowder—That the Street Commissioner cause a wood culvert to be repaired across Eleventh street, on the south-east side of Vermont street. Referred to Committee on New Territory.

By Ald. Jones—That the Council take some action regulating the sale of lime. Referred to Committee of the Whole.

By Ald. Bemis—That the Common Council of the city of Buffalo intend to widen, straighten and enlarge Buffalo Creek by excavating so as to create a depth of twelve feet of water within the following described bounds, and protecting the same on the northerly side thereof with crib work:

Commencing at a point in a line drawn at right angles to Ohio street, through a point 83 feet north of the south face of the present north abutment of the bridge across said creek at Ohio street, and distant on said line 321 feet from the centre of Ohio street as paved; thence west on said line 588 feet; thence south at right angles with last course 77 feet; thence east at right angles with last course 588 feet; thence north at right angles with last course 77 feet to the place of beginning. And the City Clerk is hereby directed to publish the necessary notice of such intention of said improvements. Adopted.

By Ald. Beckwith—That the Street Commissioner be directed to repair the pump on Clinton street, south side, east of Emslie street, immediately, at an expense not exceeding $10. Adopted.

By Ald. Mills—That the owner, or those having had charge of the old hulk referred to in the communication from the Harbor Master as sunk in the Buffalo Creek, near the Buffalo elevator, be compelled to remove the same forthwith; and that the Harbor Master give notice to the owner, or those having had charge of said hulk, to remove the same There is but four feet of water over her. Several craft have struck the wreck, and it requires prompt action. Adopted.

By Ald. Swartz—That the Committee on Police investigate the matter of policemen having been detailed for service in the New Territory. Referred to Committee on Police.

By Ald. Crowder—That the Street Commissioner cause a wood culvert across Twelfth street, on the southeast side of Vermont street, to be repaired.

Referred to Committee on New Territory.

Ald. Adams moved that when this Council adjourns, it

adjourn to meet next Thursday, at 2 o'clock P. M.—Carried.

The Common Council then adjourned to meet next Thursday afternoon, March 28, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

IN COMMON COUNCIL,
Buffalo, Thursday, March 28th, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council; and Ald. Adams, Beckwith, Brush, Crowder, Grass, Howard, Howell, Jones, Mills, Russell, Rutter, Savage, Scheu, Schwartz, Storck, Walsh, Wheeler and Yaw.

Absent—Ald. Allen, Dorr, Felton, Goembel, Hannovan, Palmer, Pratt.

The minutes of the last meeting were approved.

Ald. Howard moved that the Sergeant-at-Arms be directed to bring to the Council such absent members thereof as he may be able to find. Carried.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

GENTLEMEN,—On Local Roll 2257, is a tax against the City of Buffalo, in amount $25 73, being on 177½ feet front on southeast side of Virginia street, north corner of Edward street, for repairing the sidewalk on the easterly side of Virginia street, between the angle in Virginia street near Mariner street. I would recommend that an order be drawn in my favor for $25 73, on the Local Fund, School District No. 14, with which to pay said tax.

Respectfully submitted,

ALONZO TANNER, Comptroller.

Filed and order directed to be drawn.

FROM THE STREET COMMISSIONER.

GENTLEMEN—On the 16th of last April the Council ordered the public well in the westerly side of Kane street, between Sycamore and Genesee streets, repaired, at an expense not exceeding $20. The work has not been done, for the reason of the expense (estimated at the price named by the lowest bidder) exceeding the limit of the order. I have examined the well and find that the water is rendered impure, by the surface water entering the well through a seam or crevice in the rock, and the expense of making the repairs required will be about $50. The inhabitants in the vicinity of the well are anxious that such action be taken that the well may be immediately repaired, without regard to the extra expense. Therefore, I respectfully recommend that the limit in the order be increased to $50.

L. J. WATERS, Street Commissioner.

Whereupon Ald. Swartz offered the following:

Resolved, That the public well located on the westerly side of Kane street, between Sycamore and Genesee streets, be repaired at an expense not exceeding $50, and that the Street Commissioner is hereby authorized and directed to cause the same the same to be done and report, and that the resolution passed April 16th, 1860, ordering said well repaired, be rescinded.

Communication and resolution laid on the table.

FURTHER FROM THE STREET COMMISSIONER.

Gentlemen—In accordance with provisions in Section 21, of Title 2, of the City Charter, I nominate Gilbert Hyatt as first, and Henry Waters as second Clerk to the Street Commissioner, and respectfully ask their appointment by your Honorable Body.

L. J. WATERS, Street Commissioner.

Referred to Committee on Streets.

FROM THE CITY SURVEYOR.

In compliance with your resolution of March 25th, 1861, I submit herewith a plan and estimate of the expense of removing about 80 feet of the North Pier.

The following is an estimate of the cost of doing the same including the expense of securing the ends of the pier with Spring Piles, as per plan.

For removing about 80 feet from the west end of the North Pier, including drawing all old piles around it, and driving new spring piles, 50 in number, 1,275 cubic yards at $1,50 per cubic yard, $1 912 50.

PETER EMSLIE, City Surveyor.

Referred to Committee on Wharves, Harbors and Ferries, together with the City Attorney.

The City Assessors reported the amount that will be due on the 1st proximo to the Clerk employed in their office. Referred to Committee on Claims.

FROM THE FIRE MARSHAL.

GENTLEMEN: The lease of the bilding on Niagara street now occupied by Engine Co. No. 6 will expire on the 1st day of May next.

D. KISSOCK, Fire Marshal.

Referred to Committee on Fire.

The Fire Marshal also reported the amounts that will be due on the 1st of April to the several persons employed for the Fire Department. Referred to Committee on Fire.

PETITIONS.

Of O. H. Marshall, for a declaration of sale on lot on the east side of Cedar street, commencing 483 feet south of Batavia street, being 25 feet front by 108 feet deep. Referred to Committee on Finance.

Of A. W. G. Dow, for permission to re-number the houses of the city of Buffalo. Referred to the Committee on Streets.

Of W. A Fox and others, for the city to pay for gas used at the Arsenal. Referred to Committee on Public Lamps.

Of Frederick Hoffer, for a butcher's license. Referred to Committee on License.

ACCOUNTS REFERRED.

Harriet Atwood, for cleaning city offices for three months, ending March 31, 1861.

Henry N. Tanner, for services in Comptroller's office. Referred to Committee on Claims.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Howard—That the Assessors be, and they are hereby authorized to employ A. P. Dunlap, as clerk, in their office, for the year 1861, at a salary of seven hundred dollars for the year. Adopted.

By Ald. Yaw—That the Committee on Public Grounds be, and they are hereby directed to enquire into the management of Johnson Park, and report to this Council whether the keeper of that Park attends to his duties or not. Adopted.

By Ald. Wheeler—That Charles T. Shattuck be designated as Watch House Justice for Police Stations Nos. 3 and 4. Referred to Committee on Police.

Ald. Howard moved that the Comptroller's Statement, for 1861, as amended by the Council, be now taken up. Carried.

Ald. Howell called up the following communication from the Comptroller, presented to the Council on the 25th ult., and laid upon the table.

COMPTROLLER'S OFFICE,
Buffalo, March 20th, 1861.

To the Hon. the Common Council:

GENTLEMEN—I am satisfied from the assurances I have received from the Receiver of the Reciprocity Bank, that the city will receive during the present year much the largest part of the indebtedness due from that institution on account of deposits made by the late Receiver. The amount of such indebtedness at this date, including interest, is $26,660 84. The said Receiver assures me that at least three-fourths of this amount will be paid during the year. I think it will be safe to estimate as a resource from this debt $15,000, and $1,198 07 on account of other security in the nature of a well secured note due June 1, 1861. I would therefore recommend you to increase the estimate already submitted in round numbers $16,000.

By adding $770, one year's interest, to the $11,000 bonds issued Oct. 20, 1852, and striking out $733 91 added by you at your last meeting, will make $55,290 52, less $16,512 57 already provided, the amount for interest on the funded debt, making in fact the gross amount $38,-777 95 to be raised by tax. This is on the supposition that you provide for the payment of the funded debt as at first submitted by me deducting the said Ship Canal bonds.

Respectfully,
ALONZO TANNER, Comptroller.

Whereupon, Ald. Howard offered the following:

Resolved, That the statement of the Comptroller heretofore presented to this Council, for his estimate of the proper and necessary expenses for the various departments of the city government for the year 1861, as amended by this Council, and published by order of the Council, be and the is same hereby fixed and finally determin to be, the sum of $263,151 98, in the aggregate.

Ald. Adams was called to the chair.

The President subsequently resumed the chair.

Ald. Beckwith offered the following as an amendment to the resolution offered by Ald. Howard:

Resolved, That the report be amended by inserting the estimates of the Comptroller under the head of "Principal to be paid on funded debt for eighteen months, from April 1st, 1861."

Pending the discussion on the amendment offered by Ald. Beckwith, Ald. Adams moved that when this Council adjourns it adjourn to meet at one minute past 7 o'clock, this evening. Carried.

Ald. Adams then offered the following as a substitute for the resolution offered by Ald. Howard, and the amendment thereto, offered by Ald. Beckwith:

Resolved, That the statement of the City Comptroller, made pursuant to Section 5, of Title 5, of the Revised City Charter, and presented to the Common Council January 28th, 1861, as amended by the Common Council, March 18th, 1861, and as since published six days in the city official paper, and in another daily paper pursuant to the city charter, be now finally confirmed, and that the amount which will be required to meet the expenses of the year 1861, for all proper city purposes, and for the support of the free schools, and to pay principal and interest on the funded debt, be fixed at $263,151 98, and that of such amount the sum of $224,901 98 be and the same is hereby fixed and determined to be the sum to be raised by a levy of a tax on all of the taxable property of the city, in the manner provided by the Charter.

Ald. Howard called for a division of the question on the substitute offered by Ald. Adams.

The question was then taken on so much of the said substitute as proposes to fix the amount that will be required to meet the expenses of the year 1861, for all proper city purposes, and for the support of the free schools and to pay principal and interest on funded debt, at the sum of $263,151 98, and the same was lost for want of a two thirds vote. Ayes, 13; Noes, 5.

The hour of 7 o'clock P. M. having arrived, the President declared the Common Council adjourned until one minute past 7 o'clock this evening.

O. F. PRESBREY, City Clerk.

IN COMMON COUNCIL,
Buffalo, Thursday, March 29th, 1861,
At one minute past 7 o'clock, P. M.

Present.—Asaph S. Bemis Esq., President of the Council, and Aldermen Adams, Beckwith, Brush, Crowder, Felton, Grass, Howard, Howell, Jones, Mills, Russell, Rutter, Savage, Schen, Schwartz, Storck, Walsh, Wheeler and Yaw.

Absent.—Aldermen Allen, Dorr, Goembel, Hanovan, Palmer and Pratt.

The reading of the minutes of the last meeting was dispensed with.

Ald. Adams moved that the regular order of business be suspended. Carried—Ayes, 18; Noes, 0.

Ald. Beckwith moved that the Comptroller's Statement for 1861, as amended, be now taken up for consideration. Carried.

Ald. Adams offered the following:

Resolved, That the Statement of the City Comproller, made pursuant to Section 5, Title 5, of the Revised City Charter, and presented to the Common Council January 28th, 1861, as amended by the Common Council March 18th, 1861, and as since published, six days, in the city official paper, and in another daily paper, pursuant to the City Charter, be now finally confirmed, and that the amount which will be required to meet the expenses of the year 1861, for all proper City purposes, and for the support of the free Schools, and to pay principal and interest on the funded debt, be fixed at $263,151 98, and that of such amount the sum of $224,901 98 be and the same is hereby fixed and determined to be the sum to be raised by a levy of a tax on all of the taxable property of the City in the manner provided by the Charter.

Ald. Howard called for a division of the question on the resolution offered by Ald. Adams.

The question was then taken on so much of the resolution of Ald. Adams as proposes to fix the amount which will be required to meet the expenses of the year 1861 for all proper City purposes, and for the support of the Free Schools, and to pay principal and interest on the Funded Debt, at the sum of $263,151 98, and the same was adopted. Ayes 19; Noes 0.

The question being on the adoption of the balance of the resolution offered by Ald. Adams,

Ald. Bemis offered the following as an amendment thereto:—

Resolved, That in pursuance of the communication from the Comptroller, of March 20th, 1861, reporting to the Council an additional item of resources, of $16,000 as reliable; that the said sum of $16,000 be, and the same is hereby added to previous estimates from the

Comptroller, and that the aggregate amount of revenue and resources for the year 1861, be, and the same is hereby declared to be $54,250.

The question was taken on the above amendment, and resulted as follows: Ayes, 10; Noes, 9.

The Chair decided that the said amendment was adopted.

Ald. Adams appealed from the decision of the Chair.

The decision of the Chair was sustained. Ayes, 15; Noes, 4.

Ald. Howard moved to further amend the unadopted portion of the resolution offered by Ald. Adams, by fixing the amount to be raised by tax at the sum of $208,-901 98, instead of $224,901 98. Carried. Ayes, 18; Noes, 1.

The question was then taken on the adoption of the said portion of the resolution of Ald. Adams, as amended by the resolution of Ald. Bemis, fixing the aggregate of the revenues and resources at $54,250, and the motion of Ald. Howard, fixing the amount to be raised by tax at $208,901 98, and the same was adopted by the following vote: Ayes, 19; Noes, 0.

The Comptroller's statement, as amended and finally adopted, is as follows, to wit:

ESTIMATES FOR THE SEVERAL DEPARTMENTS FOR THE YEAR 1861.

Mayor's Department, 1861		$1,950 00
Common Council " "		7,850 00
Comptroller's " "		5,925 00
Treasurer's " "		2,449 00
City Surveyor's " "		3,000 00
Assessors' " "		4,800 00
City Clerk's " "		3,775 00
Poor Master's " "		1,900 00
Auditor's " "		1,000 00
City Attorney " "		3,800 00
Board of Health " "		4,295 00
Receiver of Taxes " "		3,900 00
Street Commis'r's " "		8,206 25
Fire " "		23,000 00
Police " "		29,900 00
City Hall & Porters " "		1,900 00
Public Grounds " "		850 00
Harbor Masters' " "		1,200 00
Superior Court " "		9,500 00
Lamp " "		21,950 00
Hydrant & Water " "		12,900 00
Market " "		3,000 00
Election Expense " "		1,600 00
Fourth of July, &c. " "		1,500 00
Dredging Buffalo Harbor outside North Pier Department, 1861		3,000 00
Dredging Buffalo Harbor inside North Pier Department, 1861		3,000 00
Principal on Funded Debt	$27,000 00	
Less amount provided for	26,000 00	
		1,000 00
Interest on Funded Debt	$56,074 43	
Less amount provided for	$16,512 57	
		39,561 86
School Fund	$79,892 00	
Less am't received from State	$24,652 13	
		55,239 87
Interest on General Fund Orders Department		1,000 00
Erroneous Taxes		200 00
Total Amount of Estimates		$263,151 98

REVENUES AND RESOURCES.

Balance from General Fund, 1860		$9,000 00
Additions to General Tax, 1861, by Receiver		5,000 00
Fees and interest collected by Comptroller		8,750 00
Interest on deposits		6,500 00
Fines and Penalties		2,000 00
Licenses		2,300 00
Elk Street Market Rents	$2,150 00	
Washington Street Market Rents	1,450 00	
Clinton " "	300 00	
Niagara " "	200 00	4,100 00
From Local rolls for publishing notices, &c		300 00
" Erie County on account of Board of Health		300 00
From Receiver of Reciprocity Bank, &c.,		16,000 00
Total Amount of Resources		$54,250 00
Amount to be raised by tax		$208,901 98

Ald. Howard moved that the time for the meeting this week of the Standing Committees of the Council be postponed until next Saturday evening. Carried.

Ald. Adams moved that the resolutions remaining on the desk of the Clerk at the adjournment of the Council be by him referred to their appropriate Committees.

In pursuance of such motion, resolutions were referred as follows:—

That the Council request His Honor the Mayor to offer a reward of one hundred dollars for the detection of any person wilfully injuring any of the fire apparatus of the city.

That the Council request His Honor the Mayor to offer a reward of two hundred dollars for the detection of any person wilfully firing any building within the city of Buffalo. Referred to Committee on Fire.

The Common Council then adjourned to meet next Monday afternoon, April 1st, 1861, at 2 o'clock.

OTIS F. PRESBREY, City Clerk.

MINUTES No. 13.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, April 1st, 1861,
at 2 o'clock, P. M.

Present.—Asaph S. Bemis Esq , President of the Council, and Aldermen Adams, Allen, Beckwith, Brush, Crowder, Dorr, Felton Goembel, Grass, Howard, Howell, Jones, Mills, Palmer, Russell, Rutter, Savage, Scheu, Schwartz, Storck, Wheeler and Yaw.

Absent—Aldermen Hanovan, Pratt, and Walsh.

The minutes of the meetings, held March 25th and 23th, 1861 were approved.

COMMUNICATIONS FROM HIS HONOR THE MAYOR.

GENTLEMEN :—I herewith present the quarterly report of the Chief of Police for the quarter ending March 31st.

Respectfully,
F. A. ALBERGER, Mayor.

Referred to Committee on Police and report ordered printed.

The following is the report referred to :

Hon. F. A. Alberger, Mayor :—

SIR—Herewith I submit the usual quarterly report of the business and condition of the Police Department, for the first quarter of the present year (1861.)

The quarter embraces the months of January, February and March.

The total arrests for crime, as reported for the quarter, is four hundred and ninety-five, and are, for various offences, as follows :

For Vagrancy	49
" Disorderly	125
" Drunkenness	93
" Drunk and Disorderly	127
" Assault and Battery	11
" Petit Larceny	36
" Grand Larceny	9
" Burglary	2
" Picking Pockets	25
" Passing Counterfeit Money	6
" Forgery	2
" Mal-practises	1
" False Pretense	1
" Indecent Exposure	1
" Seduction	1
" Arson	3
" Murder	3
" Rape	1
Total	496

In addition to the number of arrests as above given, there have been lodged two hundred and ninety-eight persons, making a total of persons arrested and persons lodged for the quarter of seven hundred and ninety-three.

Of the number of arrests reported, fifty-one were made by the day force connected with my office, and were for grand larceny, petit larceny, forgery, seduction, pocket picking, false pretence, malpractice, indecent exposure, and murder. Twenty five of the arrests were pickpockets.

There has been one suspension and three resignations.

The time reported as lost for the quarter, from sickness, is fifty-nine days.

The number of complaints made at my office for violations of the city ordinances have been very few. Those which have been made have been referred to the City Attorney for prosecution.

The complaints made were mostly for disorderly conduct at the railroad depots.

The amount of fines returned as collected from the Watch Houses for the quarter ending March 30th, by the police constables and watch house justices, is three hundred and eighty-three dollars,

Respectfully submitted,
R. H. BEST, Chief of Police.

Quarterly Statement of persons arrested for various offences, and persons lodged at the Police Stations for the first quarter of the year 1861.

POLICE STATION No. 1.

	Jan.	Feb.	Mar.	Tot'l.
Vagrancy	9	12	14	35
Disorderly	27	55	17	99
Drunkenness	14	17	10	41
Drunk and Disorderly	13	17	37	67
Assault and Battery	.	..	3	3
Petit Larceny	8	12	3	23
Grand Larceny	3	5	1	9
Burglary	.	..	2	2
Pickpockets	2	22	1	25
Passing Counterfeit Money	2	..	2	4
Forgery	2	..	..	2
Mal-practice	.	1	..	1
False Pretence	.	1	..	1
Indecent Exposure	.	1	..	1
Seduction	.	..	1	1
Arson	.	..	2	2
Murder	.	..	3	3
Rape	.	..	1	1
Lodgers	48	45	81	174
Total				494

POLICE STATION No. 2.

	Jan.	Feb.	Mar.	Tot'l
Vagrancy	2	6	1	9
Disorderly	8	1	11	15
Drunkenness	5	6	3	14
Drunk and disorderly	6	3	5	14
Assault and battery	.	..	2	2
Petit larceny	1	2	..	3
Arson	.	..	1	1
Lodgers	8	19	29	56
Total				114

POLICE STATION No. 3.

	Jan.	Feb.	Mar.	Tot'l
Vagrancy	1	2	2	5
Disorderly	.	2	1	3
Drunkenness	10	14	8	32
Drunk and disorderly	3	3	7	13
Assault and battery	.	1	..	1
Petit larceny	3	1	4	8
Passing counterfeit money	1	..	1	2
Lodgers	15	10	19	44
Total				108

POLICE STATION No. 4.

	Jan.	Feb.	Mar.	Tot'l
Vagrancy	.	..	..	..
Disorderly	2	4	2	8
Drunkenness	.	4	2	6
Drunk and disorderly	13	9	11	33
Assault and battery	1	1	3	5
Petit larceny	1	..	1	2
Lodgers	10	10	3	23
Total				77

FURTHER FROM THE MAYOR.

GENTLEMEN: I herewith nominate to your Honorable Body George Drullard to be Chief of Police in place of Robert H. Best, whose term of office has expired.

I also nominate Jacob Bloom to be Police Constable in place of David Cooper, resigned, and Samuel Caldwell, David Cooper, and Stephen Huber to be Policemen in place of James Cudden, Peter Britz, and Jacob Bloom, resigned.

Very respectfully,
F. A. ALBERGER, Mayor.

Ald. Howard moved that the communication from the Mayor be received and placed on file, and that the consent of the Common Council be and is hereby given to the appointment by His Honor the Mayor, of the persons named in said communication, to the offices to which the said persons are respectively nominated.

Ald. Felton offered the following as a substitute for the motion of Ald. Howard:

Whereas, A large and very respectable portion of our citizens, tax payers, have petitioned His Honor the Mayor that he retain the services of the present efficient Chief of Police, Mr. Robert H. Best; and as the appointment of a person to said office who has never been identified with the Police Department of the city would be at best a dangerous experiment, especially while the principal force is composed of men of but little experience in their business; therefore,

Resolved, That the communication of His Honor the Mayor be received and placed on file, and that this Council do hereby refuse to confirm the appointment recommended in said communication for Chief of Police, and that the balance be referred to the Police Committee. Lost. Ayes, 8; Noes 13.

Ald. Felton then moved that the said communication be referred to the Committee on Police. Lost.

Ald. Yaw moved as an amendment to the motion of Ald. Howard, that the consent of the Common Council be given to the appointment of the Police Constable and Policemen nominated in said communication, and that the balance of said communication be referred to the Committee on Claims.

The Chair decided that so much of the motion of Ald. Yaw as proposes to refer a portion of the said communication was not in order.

Ald. Felton moved that the whole matter be laid upon the table for one week, to be taken up under the order of reports from the Committee on Police. Lost.

The question was then taken on so much of the amendment moved by Ald. Yaw as proposes to give the consent of the Council to the appointment of the Police Constable and Policemen, and the same was carried. Ayes, 17; Noes, 6.

The question then recurred on the motion of Ald. Howard, "That the communication from the Mayor be received and filed, and that the consent of the Common Council be given to the appointment of the persons named therein," as amended by the motion of Ald. Yaw.

Ald. Adams moved the previous question, which was ordered.

The question was then taken on the said motion of Ald. Howard, as amended, and upon the calling of the ayes and noes thereon, Ald. Beckwith rose to explain his vote.

The Chair decided that the previous question having been ordered, Ald Beckwith had not the right to explain his vote.

Ald. Beckwith appealed from the decision of the Chair.

The decision of the Chair was sustained. Ayes, 11; Noes, 11.

The motion of Ald. Howard as amended, was then declared to be carried by the following vote: Ayes, 18; Noes, 9.

OFFICERS OF THE CORPORATION.

FROM THE SUPERINTENDENT OF SCHOOLS.

Herewith I communicate the pay roll of the teachers in the public schools, for the first half (or nine weeks) of the first term of the year 1861, and certify that the sums set opposite the names of teachers, are the sums due them for the half term (or nine weeks.)

I recommend that orders be drawn in favor of each, for the sums set opposite their respective names.

The total amount thus called for is $18,481 59.

Respectfully submitted,
SANFORD B. HUNT,
Superintendent of Schools.

Filed and orders directed to be drawn.

FROM THE CITY SURVEYOR.

In compliance with your resolution of March 25th, I submit herewith the following grade and profile of Rock street, from Genesee street to Hospital street:

Commencing at the intersection of the northwesterly line of Genesee street, with the center line of Rock street, at an elevation of 8 62-100 feet above the base line of levels; thence northwesterly along said center line of Rock street, rising 0.75 feet per 100 feet, for a distance of 200 feet at an elevation of 10 12-100 feet above the said base line of levels, and thence continuing along said center line, rising 0.32 feet per 100 feet, for a distance of

529½ feet to its intersection with the southerly line of Hospital street, at an elevation of 11.80 feet above the base line of levels.

PETER EMSLIE, City Surveyor.

Referred to Committee on Streets.

FURTHER FROM THE CITY SURVEYOR.

In compliance with your resolution of March 25th, I submit the following grade and annexed plan of a sewer in the southerly side of Seneca street, from a termination of the present sewer to the old city line.

Commencing at the termination of the present sewer in the centre of Seneca street, at an elevation of 90-100 feet above the base line of levels. Thence southeasterly, rising 51-100 feet per 100 feet, for a distance of 37 feet, to a point 26 feet south of the centre of Seneca street. Thence continuing on the same grade easterly, and 26 feet distant from the centre of Seneca street for a distance of 413 feet to the old city line, at an elevation of 3 20-100 feet above the base line of levels.

PETER EMSLIE, City Surveyor.

Referred to Committee on Sewers.

The Treasurer reported the amount due James N. Otto, for services to April 1st. Filed and order directed to be drawn.

FROM THE FIRE MARSHAL.

I would respectfully report to your honorable body that I have appointed, subject to the resolution of Ald. Yaw, adopted Feb. 11, 1861, the following persons, and ask your confirmation of the same :

Donald Thane as Engineer of the Steamer City of Buffalo ; Frederick Joset as Engineer of the Steamer C. J. Wells.

Adam Tyler, from Feb. 1st to Feb. 21st, as Fireman to C. J. Wells ; Asa White, from Feb. 21st to March 12th, as Fireman to C. J. Wells ; John Thompson, as Fireman to C. J. Wells ; Nicholas Neppe, as Fireman to City of Buffalo.

D. KISSOCK, Fire Marshal.

Filed and nominations confirmed.

The City Clerk reported that the following named assessment rolls had remained on file in his office more than ten days, since the first publication of a notice in the city paper, that the same were so filed, and that persons interested might file applications for the correction of the same, and that no such applications had been filed with him, viz :

No.	Amount ordered by Common Council.	Amount added by Assessors.	Total amount of Assessment.
2377—For repairing Batavia street between the easterly line of Emslie st. and a point 300 feet westerly from said point.....	$ 30 00	$1 50	$31 50
2379—For constructing a stone culvert across Niagara street, at the railroad bridge, for the purpose of passing the water from said Niagara street into Scajaquada Creek.....	174 00	2 00	176 00
2381—For constructing a sidewalk on the easterly side of Niagara street, between South and Tonawanda streets....	53 20	1 30	54 50
2382—For constructing a sidewalk on the southerly side of Mackinaw street, between Tennessee street and a point 60 feet easterly therefrom.....	6 55	45	7 00
2383—For constructing a plank sidewalk on the west side of Dearborn street, between Hamilton and Austin streets.....	19 74	1 26	21 00
2384—For constructing a plank sidewalk on the west side of Dearborn street, between Amherst and Hamilton streets...	10 56	44	11 00
2385—For constructing a plank sidewalk on the northerly side of Parish street, at its intersection with Niagara street, on both sides of Niagara st., from the sidewalk superstructure on both sides of Niagara street, to the curbing on both sides of the carriageway in said Niagara street.....	6 00	0 50	6 50
2386—For constructing a plank sidewalk on the northerly side of Amherst street, from the sidewalk superstructure on the easterly side of Niagara street to the curbing on the easterly side of the carriageway in Niagara street.....	3 00	0 50	3 50
2387—For constructing a plank sidewalk on both sides of South street, at its intersection with Niagara street, on both sides of Niagara street, from the sidewalk superstructure on both sides of Niagara street to the curbing on both sides of the carriageway in said Niagara street.....	5 76	0 74	6 50
2388—For grading the sidewalk on the southerly side of Ferry street, between the westerly curb line of Niagara street and the railroad bridge.....	48 25	1 25	49 50
2389—For constructing a plank sidewalk on the southerly side of Ferry street, between Niagara street and the Erie Canal	8 00	0 50	8 50
2390—For repairing Jefferson st., between Swan and South Division streets.....	25 00	1 00	26 00
2391—For opening and making Fifth street, from Connecticut street to Vermont street.....	65 00	2 00	67 00
2393—For repairing and maintaining the public well and pump located at the corner of William and Pine streets.....	137 00	2 00	139 00

Ald. Adams moved that the said several rolls be confirmed. Carried.

The City Clerk also reported that the following named assessment roll had remained on file in his office more than ten days, since the first publication of a notice in the city paper that the same was so filed, and that G. D. W. Clinton had filed an application for the correction of the same, viz :

No. 2380—For constructing a receiving sewer from a point on the east side of Niagara street, opposite the center line of Sloan Street, across Niagara street, and through the center of Sloan street to the Erie Canal. Tax, $200 ; expense, $5 ; aggregate, $205.

Ald. Adams moved that the time for the consideration of said roll, and of the objections thereto, be fixed for two weeks from to-day. Carried.

The Chief of Police reported the pay roll of the Captains of Police, Clerk and Policemen, for the month of

March. Amount, $2,202 08. Filed and orders directed to be drawn.

The Clerk of the Markets reported the amounts due the Porters of the several markets for services to April 1st. Filed and orders directed to be drawn.

The Overseer of the Poor reported the amounts due the employees in his office for services to April 1st. Referred to Committee on Police.

The Water Commissioner reported a list of lands in the Parish Tract liable to be assessed for expenses of supply of water from Jubilee Water Works Referred to Committee on New Territory.

The written resignation of Wm. W. Abbott of the office of driver of the steam fire engine was presented, to take effect on the 1st day of April. Filed and resignation accepted.

The written resignation of Henry S. Riddle, of the office of fireman of the steamer "City of Buffalo," was presented. Filed and resignation accepted.

The written resignation of Philip Welsh of the office of 2d assistant engineer of the Fire Department was precented. Filed and resignation accepted.

PETITIONS.

Of Gurdon C. Coit, to have an erroneous tax cancelled.

Of T. Pinner, for declaration of sale on lot on west side of Elm street, lying 108½ feet north of Genesee street, 50 feet front by 120 feet deep.

Of same, for a declaratien of sale on lot east side of Elm street, lying 176 feet south of Goodell street, 25 feet front by 100 feet deep.

Of Alva Brown, for declaration of sale on lot on southwest side of Sixth street, part of Block No. 81, lying 252 feet north-west of Hudson street, being 25 feet front by 100 feet deep. Referred to Committee on Finance.

Of Delavan F. Clark, to have Henry H. Halsey appointed a Commissioner of Deeds. Referred to Committee on Schools.

Of Charles Shells and others, to have sidewalk repaired south side of Batavia street, from Washington to Elm st Referred to Committee on Side and Cross Walks.

Of Christopher Wagner, for permission to erect a wooden addition to premises No. 527 Michigan street. Referred to Committee on fire.

Of sundry butchers, (in Washington Market) to have their rents lowered or the licenses of shop butchers raised. Referred to Committee on Markets.

Of Frank Huenfeld, for a butcher's license. Referred to Committee on Licence.

Of sundry persons, to have a sidewalk constructed on the north-east side of Fourteenth street, between Vermont and Rhode Island streets. Referred to Committee on New Territory.

Petition of Geo. Omphalius, for permission to move a frame dwelling house to lot on Ellicott street, 100 feet above Chippawa street.

Ald. Adams moved that the prayer of the petition be granted under the direction of the Street Commissioner, and subject to the further order of the Council. Carried. Ayes, 19; Noes, 0.

Petition of Union Telegraph Co., for permission to set telegraph poles on Main and Exchange streets and on the Terrace, in order to run their wire to Spaulding's Exchange.

Ald. Adams moved that the prayer of the said petition be granted under the direction of the Street Commissioner, and subject to the further order of the Council. Carried.

Petition of Frank Huenfeld, to have fine for violation of city ordinances remitted.

Ald. Goembel moved that the prayer of the petition be granted.

Ald. Yaw moved to refer the same to the Committee on Claims. Carried.

REMONSTRANCES.

Of James Harraden and others, against removing any barn to the corner of Clinton and Elm streets.

Ald. Jones moved that the action of the Council had at its meeting of the 28th ult., granting permission to L. K. Bogert to move a wooden barn to the corner of Clinton and Elm streets, be reconsidered. Carried. Ayes, 21; Noes, 0.

The remonstrance of Mr. Harraden, and the subject matter of the petition of Mr. Bogert, were then referred to the Committee on Fire.

Of J. Stellwagon and others, against the reconstruction of any frame building on the corner of Main and Genesee streets. Referred to Committee on Fire.

ACCOUNTS REFERRED.

Wesley Emmons, for repairs of School District No. 23

A. P. Yaw & Son, for sundries for School Department.

W. L French, for sundries for District No. 19. Referred to Committee on Schools.

Sundry persons (5), for cleaning streets, alleys, public grounds, &c. Referred to Committee on Streets.

Wardwell, Webster & Co. For oil for Fire Department.

Felthousen & Russell, for labor and material for Fire Department.

A. Freeman, for labor for Fire Department.

Pratt & Husted, for feed for horses for Fire Department.

Jacob Gerlach, for painting and glazing for Fire Department.

Geo. Kline, for hydrant boxes for Fire Department.

Hersee and Timmerman, for furniture, &c., for Fire Department (2 accounts.)

F. Shlefer, for repairing C. J. Wells' engine house.

Hewson & Co., for sundries for Fire Department.

Wm. R. Deacon, for sundries for Fire Department.

Cheeseman & Dodge, for use of horses for Fire Department.

Peter Schmal, for sundries for Fire Department.

Adin Tyler, for sundries for Fire Department.

Alvin Hart, for same.

A. P. Yaw & Co., for sundries for Fire Department. Referred to Committee on Fire.

Sundry persons, for cleaning police stations to April first.

R. H. Best, for incidental expenses, &c. Referred to Committtee on Police.

A. M. Clapp & Co., (9 accounts,) for advertising for various city officers.

Clapp, Matthews & Waite, (6 accounts,) for printing for various city offices.

Andrews & Son, for sundries for Assessors.

Elijah Wells, for cleaning city offices.

Lauren Burton, for livery for use of Mayor.

Brush & Bros. for wood for city buildings.

F. A. Alberger, for disbursements and incidental expenditures.

T. V. N. Penfield, for sundries for the Street Commissioner's office.

P. H. Bender, (9 accounts,) for sundries for city officers.

G. J. Woelfle, for services as Water Commissioner.

Alvis Ruff, for services at Jubilee Water Works.

John G. Steinrock, for same.

John Hoffman, for same. Referred to Committee on Claims.

Chas. Kaumier, for brooms for Court House Park. Referred to Committee on Public Grounds.

Buffalo Gas Light Co., for gas for public buildings from January 1st to April 1st, 1861.

Same, for gas for public lamps for March, 1861.

Same, for extra service pipe for Engine house on South Division street.

Chas. Groben, for lighting lamps in March. Referred to Committee on Public Lamps.

Samuel Green, for services as keeper of the Prospect Hill Parks to April 1st. Referred to Special Committee on Prospect Hill Parks.

ACCOUNTS ALLOWED.

John B. Sewell, for services as Street Inspector for March—$32 50.

John Drexler, for services as Street Inspector for quarter ending March 31st—$96 25.

Fred. Smelzer, for same—$96 25.

Chas. Broshart, for same—$88 75

Jacob Sohm, for same—$88 75.

REPORTS OF COMMITTEES.

Ald. Howard, from the Committee on Finance, reported in favor of the adoption of the following resolution:

That the Mayor be, and he is hereby directed to execute and acknowledge, on behalf of the city a proper satisfaction of the judgment recovered by the city of Buffalo against George Drullard, in the Superior Court of Buffalo, August 13, 1857, for $899 12, the same having been paid into the City Treasury. Adopted.

Ald. Wheeler, from the Committee on Schools, reported in favor of allowing the account of Martin Taylor, for books for school libraries, and of drawing an order for the balance due thereon, amounting to $160 23.

Ald. Beckwith moved the previous question.

Ald Howard proceeded to address the Council on the subject of said report.

Ald. Beckwith raised a point of order, that the previous question having been moved Ald. Howard was not in order.

Ald. Howard claimed that he had risien from his seat to address the Council prior to the motion for the previous question being seconded.

The Chair decided that Ald. Howard was in order.

Ald. Beckwith appealed from the decision of the Chair.

The decision of the Chair was not sustained.

The motion of Ald. Beckwith for the previous question was then lost. Ayes 9, Noes 13.

Ald. Howard raised the point of order, that the account upon which the report was made, not being made out in items as required by the Charter, the said report could not be received.

The Chair decided that the point of order was well taken, and that said report could not be received.

Also, in favor of allowing the following accounts, and of drawing orders for same:—

Edwin Hulbert, for wood for Schools—$162 50.

C. Jemison, for sawing wood at School, No. 26—$1 00.

Lewis R. Keyes, for repairing clocks for Schools—$18 50.

J. W. Barker, for repairing and cleaning School-house No. 32—$4 38.

Henry Mochel, for repairing wood-shed in School District No. 22—$9 00. Adopted.

Also reported the following Chapter of proposed Ordinances for the consideration of the Council

CHAPTER XX.

OF THE SCHOOL DEPARTMENT.

§ 1. There shall be a department in the city of Buffalo to be known as the "School Department," of which the Superintendent of Schools, shall be the head, and the city shall be divided into school districts.

§ 2. School district No. 1 shall be bounded as follows: On the north by Ninth street; and on the south by Niagara river, on the east by Georgia street, and on the west by York street.

School district No. 2 shall be bounded on the north by Court street and the Terrace; on the south by the Niagara river and Lake Erie; on the east by Main street to the Buffalo Creek; thence across said creek to the line between outer lots numbers 39 and 40, and thence along the same to Lake Erie; and on the west by Georgia and Court streets.

School district No. 3 shall be bounded on the north by the Main and Hamburg street canal; on the east by Michigan street to the Buffalo creek; and thence across said creek to the line between outer lots numbers 43 and 44; and thence along said line to Lake Erie; and on the west by the easterly bounds of district No. 2.

School district No. 4 shall be bounded on the north by the Main and Hamburg street canal, on the south by Lake Erie; on the east by Hamburg street; and on the west by the easterly line of district No. 3.

School district No. 5 shall be bounded on the north by North Division street; on the south by the Main and Hamburg street canal and Perry street; on the east by the Old City Line; and on the west by Hamburg, Louisiana and Cedar streets.

Scho l district No. 6 shall be bounded as follows: On the north by North Division street; on the south by Main and Hamburgh street canal; on the east by Pine, Cedar and Louisiana streets; and on the west by Michigan street.

School district No. 7 shall be bounded as follows: On the north by North Division street; on the south by the Main and Hamburgh street canal; on the east by Michigan street, and on the west by Main street.

School district No. 8 shall be bounded as follows: On the north by Court and Genesee streets; on the south by the Terrace; and on the east by Main street, and on the west by Terrace and Genesee street.

School district No. 10 shall be bounded as follows: On the east by Main street and Genesee from Court street to the Terrace; on the south by Court street, Terrace and Genesee street; on the west by Georgia street, and on the north by Chippewa street.

School district No. 11 shall be bounded as follows: On the north by Mohawk, Koon Alley and Batavia streets; on the south by North Division street; on the east by Michigan and Oak streets, and on the west by Main street.

School district No. 12 shall be bounded as follows: On the north by Genesee street; on the south by William street; on the east by Jefferson street, and on the west by Michigan street.

School district No. 13 shall be bounded as follows: On the north by Tupper street, on the south by Mohawk, Koon Alley and Batavia street; on the east by Michigan street, and on the west by Main street.

School district No. 14 shall be bounded as follows: On the north by North street; on the south by Chippewa, Georgia and Ninth streets; on the east by Main street, and on the west by York and Ninth streets.

School district No. 15 shall be bounded as follows: On the north by North street; on the south by Tupper, Michigan and Genesee streets, on the east by Jefferson and Genesee streets, and on the west by Main and Michigan streets.

School district No. 16 shall be bounded as follows: On the north by the northerly lint of lots Nos. 61 and 88; on the east by Jefferson street, extended to the southerly line of lot No. 89; on the south by North street, and on the west by the Mile Reserve.

School district No. 17 shall be bounded as follows: On the north by the southerly line of lots Nos. 81, 66 and 48; on the east by the easterly line of lots Nos. 26, 39, 40, 41 and 42; on the south by the southwesterly line of lot No. 42, and the southerly line of lot 26, and the northerly line of lots Nos. 38 and 61; on the west by the westerly line of lot No. 26 and Mile Reserve.

School district No. 18 shall be founded as follows: On the north of Breckenridge street; on the east by the easterly line of Mile Reserve; on the south by North and York streets, and on the west by Niagara river.

School district No. 19 shall be bounded as follows: On the north by Scajaquada creek to Black Rock harbor; and thence down the centre of said harbor through the new ship lock to Niagara river; on the east by the easterly line of the Mile Reserve; on the south by Breckenridge street, and on the west by Niagara river.

School district No. 20 shall be bounded as follows: On the north by the City Line extended to the west shore of Strawberry Island; on the east by the easterly line of the Mile Reserve; on the south by the northerly line of district No. 19; and on the west by Niagara river, and the west shore of Strawberry Island.

School district No. 21 shall be bounded as follows: On the north by the City Line; on the east by the easterly line of lots Nos. 79, 78, and by said line continued due south to the northerly line of lot No. 65; on the south by the southerly line of lots Nos. 66 and 81, and on the west by the Mile Reserve.

School district No. 22 shall be bounded as follows: On the north by the City Line; on the east by the City Line and the south-westerly line of lots Nos. 46, 55 and 43; on the south by the south-westerly line of lots Nos. 46, 56 and 43, and the southerly line of lot No. 43, and of the southerly line of lot No. 66, till it intersects the easterly line of school district No. 21; on the west by the westerly line of lots Nos. 73 and 74, and by said line continued due south to the southerly line of lot No. 66.

School district No. 23 shall be bounded as follows: On the north by the northerly line of lots No. 45, 54, 10, 11 and 12; on the east by the City Line; on the south by the northerly line of lots Nos. 42, 51 and 7; on the west by Adams street and the north-easterly line of lots Nos. 12, 11, 10, 54 and 45.

School district No. 24 shall be bounded as follows: On the north by the northerly line of lots Nos. 25, 7, 51 and 42; on the east by the City Line; on the south by a line equi-distant between Genesee and Batavia streets, from the City Line on the east to Jefferson street on the west, and on the west by Jefferson street.

School district No. 25 shall be bounded as follows: On the north by a line beginning at a point in the easterly line of the city equi-distant between Genesee and Batavia streets; and drawn westerly equi-distant between the said streets to the easterly line of lot No. 5; on the east by the City Line; on the south by the northerly line of lots Nos. 161, 160, 159, 158, 157, 10, 52, 50, 49, 48, 47, 45, 44, and 43; on the west by the easterly line of lot No. 19, and the easterly line of lot No. 5, till it strikes the northerly line of the district as above described.

School district No. 26 shall be bounded as follows: On the north by the northerly line of lots Nos. 43, 44, 45, 47, 48, 49, 50, 52, 10, 157, 158, 159, 160, 161; on the east by the City Line; on the south, commencing where the northerly branch of Buffalo Creek intersects the easterly line of the city; thence westerly along the northerly bank of said creek, till it strikes the westerly line of lot No. 196; thence northerly along the westerly line of lots Nos. 196, 80, 81, to the centre of Seneca street to the Old City Line; thence north-easterly along the westerly line of lots Nos. 41, 42, 43, to the northerly line of lot No. 43, to the place of beginning.

School district No. 27 shall be bounded as follows: Commencing where the south bank of the north branch of Buffalo Creek intersects the easterly line of the city; thence following the said bank westerly and southerly to its junction with the southerly branch of Buffalo Creek; thence easterly up and along the northerly bank of said southerly branch till it strikes the westerly line of lot No. 55; thence southerly along the westerly line of lots 55, 244½ and 255 to the southerly line of lot 255; thence south-easterly along the southerly line of lots 255, 254, 253, 252½ 251½, 250½, to the southerly line of lot No. 269; thence southerly along the westerly line of lots Nos. 268, 267, 266, 265, and 264, to the southerly line of the city; thence easterly along said southerly line to the easterly line of the city; thence northerly along said easterly line to the place of beginning.

School district No. 28 shall be bounded as follows: Commencing where the westerly line of lot No. 196 intersects Buffalo Creek; thence easterly along Buffalo Creek to the westerly line of lot No. 85; thence south-westerly along said line to the southerly line of lot No. 255; thence south-easterly along the southerly line of lots 255, 254, 253, 252½, till it strikes the southerly line of lot 257; thence westerly along the southerly line of lots 257, 48, to the westerly line of lot 48; thence northerly along the westerly line of lots 48, 49, to the south-westerly corner of lot 58; thence northerly and westerly along the southerly bounds of lots Nos. 54, 57, 58, 60, to Buffalo

Creek; thence northerly along said creek to the place of beginning.

School District No. 29 shall be bounded as follows: Commencing at the north-westerly corner of lot No. 47; thence easterly along the northerly line of lots Nos. 47 and 258, till it strikes the southerly line of lot No. 250½; thence southeasterly along the southerly line of lots Nos. 252½, 251½, 250½, to the north-westerly corner of lot No. 258; thence southerly along the easterly line of lots Nos. 259, 260, 261, 262 and 263, to the southerly line of the city; thence westerly along said southerly line of the city till it strikes the westerly line of lot No. 42; thence northerly along the westerly line of lots Nos. 42, 43, 44, 45, 46 and 47, to the place of beginning.

School district No. 30 shall be bounded as follows: Commencing at the point where the southerly bounds of the old city strikes Lake Erie; thence easterly along the said line and the southerly bounds of district No. 28, to the southwesterly corner of lot No. 58; thence southerly along the westerly line of lots Nos. 49, 48, 47, 46, 45, 43 and 42, to the southerly line of the city; thence westerly along said line to Lake Erie, and thence northerly along the shore of said lake, to the place of beginning.

School district No. 31 shall be bounded as follows: Beginning at a point where the centre line of Jefferson street intersects the centre line of Eagle street; thence northerly along the centre of Jefferson street to the southerly line of School district No. 24; thence easterly along said line till it intersects the easterly line of lot No. 5, as laid down on a "new map of the city of Buffalo, by Henry Lovejoy, published in 1853," thence southerly along the easterly line of lots Nos. 5 and 19, on said map, till said line intersects the westerly line of the Indian Reservation; thence southwesterly along said westerly line of the Indian Reservation, till it intersects the centre line of Eagle street; thence along the centre line of Eagle street to the place of begining.

School district No. 32 shall be bounded as follows: On the north by William street; on the east by Jefferson street; on the south by North Division street; on the west by Michigan street.

School district No. 33 shall be bounded as follows: Commencing at a point where the centre of Hamburgh street intersects the centre of Perry street; thence easterly along the centre of Perry street to the old city line; thence northeasterly along the old city line to the centre of Seneca street; thence easterly along the centre of Seneca street to the east line of lot No. 82, of Lovejoy and Emslie's survey; thence southerly along the easterly lines of lots Nos. 82, 83, 195, 194, to Buffalo Creek, thence southerly and westerly along Buffalo Creek to the southerly line of lot No. 61; thence westerly along the southerly line of lot No. 61 to Buffalo Creek; thence westerly and northerly along Buffalo Creek to the centre of Hamburgh street; thence northerly along the centre of Hamburgh street to the place of beginning.

§ 3. Schools shall be maintained in each of the districts now established, or which may hereafter be established by the common council, to which shall be admitted all children between the ages of five and twenty-one years, except colored children, and those promoted to the Central School.

§ 4. The public schools of the city shall be of three grades—those of the lowest grade shall be styled first or primary departments—those of the middle grade second departments—those of the highest grade third departments.

§ 5. The yearly course of the public schools shall be divided into three terms in the following manner: The first term shall commence on the second day of January, provided that day shall occur on Tuesday or Wednesday, otherwise on the Monday following, and shall continue without intermission for seventeen weeks. The second term shall commence on the seventh day of May, provided that day shall occur on Monday, Tuesday, or Wednesday, otherwise on the Monday following, and shall continue twelve weeks. The third term shall commence on the first day of September, except when that day shall occur later in the week than Wednesday, in which case the term shall commence on Monday following, and shall continue sixteen weeks.

§ 6. The term shall end and the vacations begin at the close of the afternoon session of Thursday of the last week in each term.

§ 7. The school shall be kept on all week days during the term, except the following, hereby set apart, on which no school shall be kept, viz: Saturdays; the Anniversary of the birth of Washington; Declaration of Independence; Thanksgiving Day, when proclaimed by the Governor of the State; and one other day in each term, which shall be designated by the superintendent, on which day all the teachers in the districts designated, shall visit other public schools in the city.

§ 8. No school department shall be dismissed for the purpose of visiting any lecture, painting, menagerie, or any other show, or for going on any excursion, pic-nic, or any other diversion, or for any purpose whatever, without first obtaining the sanction of the School Committee or Superintendent.

§ 9. The school shall be kept six hours on all school days, as follows: forenoon session from 9 A. M. to 12 A. M.; afternoon session from 1 to 4 P. M., with fifteen minutes recess each half day. The Superintendent shall have power to change the time for commencing and closing any school upon application of the teacher, whenever the interests of the school may be promoted thereby.

§ 10. Each department in every district shall be open for examination and inspection during the last week of every term, and the teacher shall call upon every class in each department to review or recite, in the course of such examination.

§ 11. No school house or lot, or their appurtenances shall be used or occupied for any other purpose than for the use and accommodation of the public schools of the city.

§ 12. No collection shall be taken up, nor subscription for any purpose be introduced into any public school, nor shall the instructors award medals or other prizes to the pupils under their charge.

§ 13. In every school in which there are two or more departments, the principal teacher of the highest department shall be considered the principal of the school, and all other teachers engaged in such school shall adopt such rules and regulations for the conduct of such school as shall be made by the principal, who shall keep an account of the absence or tardiness of all the teachers engaged in such school, and shall weekly report to the Superinten-

dent all cases of absence or tardiness of such teachers, together with the reasons for the same.

§ 14. The classifications of pupils between the different departments of the same school, and between the district school and the Central school, shall be conducted rigidly upon the principle of avoiding the formation or continuance in any department of small or special classes of more advanced pupils, when such pupils are qualified to enter and be instructed in one of the general classes of the department above. And the teachers shall be governed by this principle in determining to which department any pupil should be admitted, and what pupils should be offered for examination for promotion at the close of each term.

§ 15. Pupils shall not be transferred from one grade of the school to another higher, except on an examination and after having received certificates, as hereinafter provided; neither shall pupils be received from any source into a grade of the school higher than that for which they shall, on examination in the studies as laid down for such grade, be found qualified.

§ 16. During the week in each term next preceding the public examination week, each principal teacher of a department shall present such pupils as he or she shall deem entitled to an examination for promotion to higher departments, certificates of having completed the course of study prescribed in their respective departments.

§ 17. The Superintendent and School Committee, or such persons as they may delegate for that purpose, shall attend and institute such examination; and, according to their best judgment in the premises, award or withhold certificates in the following form, and signed as indicated in the blank, to wit:

PUBLIC SCHOOL, No.——

This is to Certify, That ——, having this day passed an examination, by which it appears that —— has completed the course of study required in the —— department of the public schools of the city of Buffalo, is declared prepared to enter the —— department of said schools. This is also given as a certificate of good character, to all to whom it may come.

———Teacher of —— Department No.—
———Superintendent
———Chairman School Committee.

Buffalo,——, 185 .

§ 18. Any pupil accepting such certificate, shall thenceforth be considered as properly belonging to the department to which he or she is thereby promoted.

§ 19. Every pupil when he leaves a school, or removes from a district shall be entitled to receive a certificate of good standing, and no pupil leaving a school or removing from a district without such certificate shall be permitted to enter any other public school, until such certificate be obtained.

§ 20. The studies and text books hereinafter provided shall be strictly pursued, and no others shall be used or introduced, except as directed in section twenty-two.

§ 21. The course of study, and the text books therein, in the various schools of the same grade, shall be the same, or uniform, throughout the city.

§ 22. The Superintendent shall recommend, and the Committee on Common Schools adopt, a course of study and a series of text books therein, for each of the several grades of schools, which shall be printed and annexed to the regulations which may be printed for the use of the schools.

§ 23. Whenever any change is made in the course of study or the series of text books, it shall be on the recommendation of the Superintendent and the adoption of the Committee on Schools, and the several principal teachers shall be duly notified thereof by the Superintendent.

§ 24. Every pupil who, on reasonable notice by the teacher, shall neglect to furnish himself with the proper books, stationery or other articles necessary or required to be used in the department to which he belongs, shall be liable to suspension by the teacher, from the privileges of the school, subject to appeal in case of inability.

§ 25. Pupils may be transferred from one school to another by the Superintendent, on the written application of the parent or guardian, followed by the certificate of the teacher where they last attended public school, and of the teacher of the school to which they propose to be admitted, in the following form, and properly signed:

Buffalo, ——, 18 .

To the Superintendent of Common Schools for the city of Buffalo:

I desire to send my —— from Public School No. — to Public School No. —; he last attended school at —— Department of No. —.

Yours, &c., ———.

I hereby certify that the above applicant——was in good and regular standing in my school at the time of leaving the same, and I know of no reason why he should not be permitted to exchange schools on the usual terms.

——, Teacher, —— Department No. —.

Buffalo, ——, 18 .

I hereby certify that I have room for the above applicant, and know of no reason why he should not be permitted to exchange schools on the usual terms.

——, Teacher, —— Department —.

Buffalo, ——, 18 .

To the Teacher of the —— Department No.—.

On receiving and signing the above application and certificate, you will please admit the applicant to your school, and oblige,

Yours, &c.,
———, Superintendent.

Buffalo, ——, 18—.

§ 26. In case the applicant has never, or has not within one year from the date of application, attended public school, or in case his public school teacher has removed, the superintendent shall, in his discretion, grant such transfer, without the teacher's certificate first above named.

§ 27. A teacher once having refused to sign the second certificate named in section twenty five, shall receive no more from other districts, during that term, nor shall he at any time refuse one applicant and receive another.

§ 28. No pupil shall be admitted or continue in any of the public schools, who is afflicted with, or has been exposed to any contagious disease, until such time as the danger from any such disease or exposure has overpast.

§ 29. No pupil shall be admitted to the privileges of any public school, who has been expelled from any public school, unless by direction of the committee on common schools, given in writing, restoring such pupil to his standing.

§ 30. Every pupil once admitted to school and duly registered, shall attend at the commencement of each term, and continue in punctual attendance until its close, or until he is regularly withdrawn, by notice to the teacher to that effect. And no pupil violating this rule shall be entitled to continue in such school, or be admitted to any other, until such violation is certified to by the parents or guardian to have been necessary and unavoidable, which shall be done by note or personally.

§ 31. Every pupil who goes to school after the regular hour of opening, shall, at the discretion of the principal teacher, have the door closed against him, and be refused admittance for the morning or evening session.

§ 32. No pupil shall be dismissed before the close of school hours, except at the request of the parent or guardian, communicated in the manner prescribed for excuses for absence, and specifying the time for the desired dismissal.

§ 33. Any pupil absenting himself from examination or any portion thereof, without an absolute necessity, duly certified beforehand, in the manner prescribed in this chapter for certifying absences, shall not be admitted to any public school afterwards, except by permission of the committee on schools, in writing, signed by the chairman thereof; and all such absentees shall be reported by the teacher immediately to the superintendent; and this rule should be read to the school previous to the examination days of each term.

§ 34. Any appeal or application made under these ordinances, shall be by the parent, or guardian, to the superintendent, in writing, stating the nature of the grievance for which redress is sought, or the relief which is desired. An appeal from his decision may be had to the committee on schools, and on such appeal the superintendent shall give the reasons for his decision, either orally or in writing, and the determination of the committee shall be final.

§ 35. In addition to the schools organized in the districts, there shall be one school in the city in which shall be received all scholars applying for admission, who have completed the course of study prescribed for the third departments, and such other persons residents of the city as shall pass the required examination, provided always that the regularly promoted pupils from the public schools shall have the preference. In this school shall be taught such branches as shall be designated, from time to time, by the superintendent and the school committee. This school shall be denominated the Central School.

§ 36. During the week preceding the last week of each term, each principal shall present to all pupils who have completed the course of study prescribed for the third department, certificates certifying that they are entitled to examination for promotion to the Central School. And all pupils receiving such certificates shall meet at the Central School building on Friday of the same week, for examination. This examination shall be conducted under the direction of the Committee on Schools and the Superintendent. Those found qualified shall receive a certificate in the following form:

THIS IS TO CERTIFY, That ———, having this day passed an examination, by which it appears that he has completed the course of study required in the third department of the public schools of the city of Buffalo, is declared prepared to enter the Central School in said city. This is also given as a certificate of good character to all to whom it may come.

———, Principal of Public School No. —.
———, Superintendent.
———, Chairman of School Committee.

Buffalo, ——, 186—.

Any pupil accepting such certificate shall thenceforth be considered as properly belonging to the Central School.

§ 37. The principals of schools shall have power:

1. To make and enforce, by reasonable discipline, any rules and regulations necessary and proper for the internal regulations of their respective schools, subject to appeals, in case of dissatisfaction, as provided in section thirty-four.

2. To divide the labors of the school reasonably among the several teachers thereof, and govern, direct, and control the departments under their charge, which shall be their proper duty.

3. To avail themselves, or require the assistance of any of their pupils as monitors, secretaries, &c., in and about the business of the school or library, whenever such services can be judiciously applied, either in the general advancement of the school or its interests, or the personal improvement of the pupils so employed.

4. To expel, subject to appeal, (as provided by section thirty-four,) by the parent or guardian, to the committee on common schools, any pupil from school, for any of the following reasons:

Truancy persisted in.
Violent opposition to authority.
Repetition of sny offence after notice.
Habitual and determined neglect of duty.
The use of profane or obscene language.
General bad conduct and bad example, to the injury of the school.
Cutting, marring, destroying, defacing or injuring, any of the public property, such as buildings, furniture, fences, trees, shrubbery, &c.

Provided, always, they shall immediately in writing inform the parent or guardian, and the superintendent, of such expulsion, and the reasons thereof.

§ 38. It shall be the duty of the principals of departments:

1. To give the children under their charge constant employment, and the proper balance of studies, according to acquirements and the course of study prescribed, and endeavor, by judicious and diversified modes, to render the exercises of the school pleasant as well as profitable

2. To keep in some conspicuous place in the schoolroom, a card showing the order of exercises for each day in the week, and the time of each exercise.

3. To hold themselves responsible for the government of their schools; exercise firm, prudent, and vigilant discipline; punish as sparingly as is consistent with securing obedieoce, and always, when the punishment is corporeal, with a proper instrument, in a proper and parental manner; and shall govern by persuasive measures as far as practicable.

4. To read, or cause to be read, aloud to their schools, at least once in each term, so much of the ordinances for the regulation of common schools, with the amendments from time to time made, as shall be necessary to give

their pupils an understanding of the rules and regulations by which they are to be governed.

5. To regulate the temperature of the rooms by a thermometer, to be furnished by the Council, suspended six feet from the floor in such a position as to indicate, as near as possible, the average temperature, and to keep the same not above sixty-five degrees Fahrenheit.

6. To regulate the light admitted into the school room, as far as possible with the means furnished, giving so much as is necessary for the ease of the eye, but excluding the rays of the sun when they strike the faces of the pupils, or become oppressive to the sight.

7. To pay particular attention to the proper ventilation of their respective rooms, whereof a regular system should be put in practice by which the rooms which have no sufficient ventilators may be often purified, the doors and windows being opened for this purpose at recess and before and after each session, thus securing a healthful circulation and supply.

8. To refuse admittance to any pupil to the privileges of school who is not an actual bona fide and permanent resident of the city, or who has been expelled from any public school, unless, by direction of the Committee on Schools in writing, such pupil is restored to his standing; also to refuse admittance to any pupil from another public school or district, without the regular form of transfer, as provided in section twenty-five.

9. To give in all cases, on request, to a pupil on leaving school, the certificate of regular standing required for transfer, when there is no unsettled matter of difference or discipline between the teacher and the pupil so applying.

10. To keep a register, to be furnished by the superintendent which shall remain the property of the district, in which shall be entered the date of the admission of each pupil in every term, the pupil's name and age, from whence received, the parent's or guardian's name and residence, by No., street, and district, date of registration, attendance of the pupil, date of his leaving the school, the destination of the pupil on leaving, both as to place and occupation, and such other information as shall at all times give a correct idea of the condition of the school.

11. To keep a register, furnished as the one above named, in which shall be entered the dates of visits and names of visitors, with such remarks as they may choose to make; also, any remarkable circumstances which may transpire in relation to the school.

12. To keep a register furnished as above, in which shall be entered, in each term, the titles of the various classes in school, for the term, together with the names of the pupils comprising each class, and in which shall also be noted in each term, the promotion of pupils into the new studies or text books, that the same may be correctly reported at the close of each term.

13. To make complete returns, annual, quarterly, or special, at the close of each year and term, and at such other times as required in the form, and embracing all the facts called for by the superintendent, or by the laws or regulations of the state or city relative to schools; and to transcribe a full and accurate copy of such annual, or quarterly or special returns, in the register named in subdivision twelve, immediately after the quarterly or annual entries embraced in such returns.

14. To apply to the superintendent for advice or direction in case of difficulty in the discharge of their official duties, or when any temporary dispensation in their favor is desired.

15 To take all reasonable measures to enforce the provisions of these ordinances in relation to pupils.

§ 39. It shall be the duty of principals of schools:

1. To exercise the strictest vigilance with regard to the public property under their charge, the buildings, furniture, apparatus and books, the outhouses, fences, &c., belonging to the district or city, that they may receive no injury; and to give prompt notice in writing to the superintendent of any such injuries, or of any repairs or supplies, that may be needed.

2. To employ, for a reasonable compensation, allowed by the common council, some suitable person to make the fires in cold weather, in their respective rooms, at a reasonable hour, to render them warm and comforable by school time, and to sweep the rooms and halls daily, and dust the windows, walls, seats, desks and other furniture in the same; and the teacher is to see that the same is economically, neatly and properly done.

3. To see that the yards, sheds and outbuildings are kept in perfect order, and locked at all proper times, and that all deposits of sweepings from rooms or yards be made in the middle of the street.

4. To act as librarians for the several departments and districts which may be furnished with books, and in which they may be employed, and as such take special charge of all the books, placed in their respective libraries, and make, keep and preserve a catalogue of the same, to deliver, charge, receive and credit the volumes drawn, and to keep a register of the same, and make returns as required by the Superintendent, and the existing laws or provisions of the city ordinances, or those which may hereafter be adopted.

5. To keep the library open for the distribution and return of books to their scholars, and residents of the district, a sufficient time after four o'clock, on Friday P. M., of each week, and at such other time as may be necessary; but this duty shall at no time be permitted to interfere with the regular exercises of the school.

6. To enter all new works furnished to their respective libraries, in the catalogues prepared for that purpose, and to number the same in the label of the book, and in the catalogue to correspond thereto.

§ 40. The assistant teachers shall interest themselves in the welfare of the schools in which they are employed, and, to the best of their ability, perform the reasonable requests of their principals about any of the business of the school, and in all things second the efforts of their principals in carrying out the design of the system.

§ 41. The assistants shall keep good order in their respective classes during recitations, but shall report to the principal teachers of their departments all cases in which serious punishment or discipline is required, and shall in no case inflict corporeal punishment upon pupils.

§ 42. Whenever a special instructor shall be appointed to teach a particular branch in any department, he shall visit each school impartially and regularly, according to a programme to be furnished by him to the superintendent, and to the principals of the departments where he is to teach; and the teachers of these departments shall devote the time of their schools, as required by such pro-

gramme, and use all dilligence and care to make such special instruction available, and to carry out the true intent of the same.

§ 43. All of the teachers shall be at their respective schools, and open their rooms for the reception of pupils, at least fifteen minutes in the morning, and five minutes in the afternoon, before the specified time for beginning school, and during school hours shall faithfully devote themselves to the duties of their office.

§ 44. They shall, as far as practicable, exercise a general care over their pupils, as well out of the school as within its walls, and shall not content themselves with mere instruction in the school studies; but shall as far as possible, educate the pupils under their charge, attending with equal assiduity to their physical, intellectual and moral culture; forming and inculcating constantly habits and principles of cleanliness, health, and grace of body; clearness, activity, and power of mind; purity, benevolence, and greatness of soul; and lead them continually, both by precept and example, to higher attainment in all excellence.

§ 45. The teachers shall attend regularly the Teacher's Institute during the terms of the schools, at such times and under such regulations as the Superintendent shall direct, and by study, recitations, and general exercises, strive to systematize and perfect the modes of discipline and of teaching in the public schools.

§ 46. They shall, by all means, strive to perfect and elevate the public school system, as a whole, of which their particular departments are a part, and by no means to allow themselves to use either their personal influence, or the influence of their station, in building up one district or department at the expense of another.

§ 47. They shall attend on due notice, every regular, special or adjourned meeting of teachers, called or appointed by the Superintendent, on the business of the public schools.

§ 48. No public school teachers shall teach a private school of any description, nor attend to the instruction of any private pupils before 6 P. M., nor use the public school buildings or room at any times for private purposes, or allow the same to be so used.

§ 49. The Superintendent may, in his discretion, enter into a written contract with each of the teachers in the several districts of the city, in which contract there shall be a clause expressly reserving the right to said Superintendent, under the direction of the School Committee, to dismiss, or discharge, or to transfer to any district or department, said teachers, whenever, in the opinion of said Superintendent and School Committee, the interests of the school will be promoted thereby. Previous to the removal of any teacher, he shall be entitled to a hearing before the Superintendent and School Committee.

§ 50. The teachers of the public schools shall hold office by selection and appointment, according to the provisions of the charter, under the following form of appointment and acceptance, as prescribed by this section, which selection and appointment, shall be made at least thirty days before the commencement of the second term in each and every year.

This is to certify that ——— is hereby appointed ——— teacher in the —— department of school district No. — for the term of —— from —— to —— unless sooner removed or transferred to some other district or department, subject to the duties and liabilities contained in the laws and ordinances for the regulation of the public schools, now existing, or that may hereafter be adopted by the Common Council, and the general supervision of the Superintendent in all things pertaining to the conduct and management of the schools. The salary to be —— dollars per annum, payable at the end of each term.

——— Superintendent of Schools.

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I hereby accept the above appointment, subject to the conditions therein mentioned. ———.

Buffalo, —— 186–.

§ 51. No resignation during the continuance of the time specified in the appointment shall be accepted, unless at the option of the Superintendent, without at least four weeks notice thereof, in writing, to the Superintendent, by the teacher resigning.

§ 52. No teacher shall be removed during the continuance of the time named in his appointment, unless for want of physical, intellectual, or moral qualifications, or of practical judgment, skill and aptness in teaching, or of good conduct and management in his official station, or unless the number of pupils attending the school does not require the continuance of all the teachers employed, but may be transferred to any other district or department.

§ 53. Any person who shall wilfully or maliciously injure any school-house, or out-house appurtenant thereto, or injure or destroy any fixtures, furniture or property belonging thereto, within the city of Buffalo, shall forfeit and pay the penalty of not exceeding fifty dollars for each and every offence, over and above the damages done to any such house, appurtenance, fixture, furniture or property; and it shall be the duty of the principals of schools to notify the superintendent of any trespass or injury done to the school property.

§ 54. All penalties recovered under the foregoing section shall be paid into the city treasury, to the credit of the school fund.

§ 55. When the Superintendent of Schools shall deem any repairs or supplies necessary in the department in his charge, and the expense of such repairs or supplies will not exceed in amount the sum of twenty-five dollars, the Superintendent shal procure such supplies, or cause such repairs to be made, and report the same in writing to the Common Council at its next meeting. When the expenditures required shall exceed in amount the sum of twenty-five dollars, the Superintendent shall report in writing to the Common Council the nature of the expenditure, and the amount required. The Superintendent shall execute and carry out all the orders of the Common Council relating to the school department, and report in writing the manner of their accomplishment to the Common Council.

No books shall hereafter be furnished to indigent children except by the Superintent of Schools, who may give orders to supply them upon the certificate of the principal of the school, that he has examined into the condition of the family applying for such charity, and that unless the books are furnished, the children will neeessarily be withdrawn from school.

Referred to Committee of the Whole and ordered printed.

Ald. Felton was called to the Chair.

Ald. Palmer, from the Committee on Streets, reported in favor of the adoption of the following resolution:

That it it is hereby ordered and determined by the Common Council of the City of Buffalo, that the Buffalo Creek be widened, straightened and enlarged at the Toll Bridge on Ohio street, in accordance with a plan and survey of said proposed improvement, on file in the City Surveyor's office, by excavating a channel fifty feet in width with 12 feet depth of water, and protecting the same on the northerly side thereof with crib work.

Ald. Bemis addressed the Council on the subject matter of said resolution, and, having spoken the time limited by the rules of the Council, was called to order by Ald. Howell.

Ald. Mills moved that Ald. Bemis be permitted to continue his remarks. Carried. Ayes, 10; Noes, 4.

Ald. Bemis then moved to amend said resolution by adding the following thereto:

Resolved, That it is hereby ordered and determined, by the Common Council of the City of Buffalo, that if the Buffalo and Hamburgh Turnpike Company will enter into a written agreement with the City of Buffalo, to maintain for a given term of years (say ten) the present toll bridge over Buffalo Creek, at Ohio street, in connection with a proposed swing bridge, to be constructed over a proposed widening, straightening and enlarging Buffalo Creek, at the point above named, and will employ at the expense of said Company a man for said term to attend to said swing bridge, to open and shut the same as occasion requires, and will pay the proportion of expense heretofore agreed to be paid by said Company, for said widening, and then and in that case, the said city of Buffalo, will suspend its order for the time being, directing the removal of said toll bridge, so long as said agreement is observed, by said Turnpike Company—said agreement to be entered into before the commencement of the work.

Ald. Howell moved the previous question, which was ordered. Ayes, 18—noes, 4

The amendment moved by Ald. Bemis was then carried. Ayes, 12—noes, 11.

Ald. Savage moved that the vote last taken be reconsidered. Carried.

On motion of Ald. Savage, the question was then again taken on the adoption of the said amendment, and the same lost. Ayes, 11; noes 12.

Ald. Adams moved that the Council do now adjourn. Lost.

The question was then taken on the adoption of the resolution reported by Ald. Palmer, and the same was lost for want of a two third vote. Ayes, 13; Noes, 10.

Ald. Adams moved that the vote taken on said resolution be re-considered. Carried.

Ald. Bemis then moved that said resolution be referred back to the Committee on Streets, and that said Committee be directed to procure from the Buffalo and Hamburgh Turnpike Co., the agreement heretofore made by said Company, and presented to the Council, October 9, 1854, and at that time referred to the Committee on Wharves, Harbors and Ferries.

Ald. Howard moved as an amendment to the motion of Ald. Bemis, that the Committee be requested to procure the said agreement from the said Turnpike Company, or from any other party or parties who may have the same.

Ald. Bemis moved as an amendment to the amendment of Ald. Howard, that the Committee procure the original agreement or a copy thereof. Lost.

The amendment moved by Ald. Howard, to the motion of Ald. Bemis, was then carried.

And the motion of Ald. Bemis as so amended, was then carried.

The Common Council then adjourned to meet nex Monday afternoon, April 8th, 1861, at 2 o'clock.

OTIS F. PRESBREY, City Clerk.

SPECIAL MEETING.

IN COMMON COUNCIL,
Buffalo, Wednesday, April 3d, 1861,
At 2 o'clock, P. M.

Present.—Asaph S. Bemis Esq., President of the Council, and Aldermen Adams, Brush, Crowder, Felton, Goembel, Grass, Howard, Mills, Rutter, Savage, Scheu, Schwartz, Storck, Wheeler and Yaw.

Absent.—Aldermen Allen, Beckwith, Dorr, Hanovan, Howell, Jones, Palmer Pratt, Russell and Walsh,

The minutes of the last meeting were approved.

COMMUNICATIONS FROM THE MAYOR.

MAYOR'S OFFICE,
Buffalo, April 3, 1861.

To the Hon. the Common Council:

Gentlemen—I have called you together to day at the request of a number of your honorable body, to transact such business as may come before you.

I have to inform your honorable body that summons have been served upon me to answer the complaint of John F. Staffard, demanding payment of local fund orders. Very respectfully,

F. A. ALBERGER, Mayor.

Ald. Howard moved that said communication be received and filed, and that the subject matter of so much thereof as relates to suit commenced, by John F. Stafford, be referred to the City Atorney, with directions to defend, if deemed advisable by him. Carried.

FROM THE COMPTROLLER.

GENTLEMEN.—The amount necessary to be raised by local assessment, to defray one-half the expense of lighting and maintaining the Lamp District for the current year is $21,950 00.

The amount necessary to be raised, in like manner, to defray one-half the expense of maintaining the Water District is $12,900 00.

I recommend that you adopt the necessary resolutions determining the amounts to be so raised.

Respectfully,
ALONZO TANNER, Comptroller.

Filed, and subject matter referred to the Committees on Public Lamps and Water.

The City Treasurer reported the amount due Mr. J. Mather for services in his office to April 1st. Filed, and order directed to be drawn.

PETITIONS.

Of L. K. Haddock, for relief from tax. Referred to City Attorney.

REMONSTRANCES.

Of. J. G. Fesch & Co., and another, against moving house on Ellicott street. Referred to Committee on Fire.

ACCOUNTS REFERRED.

D. C. Weed & Co., for axe for Fire Department.

Livingston, Fargo & Co., for a pair of horses for Fire Department.

Wm. Taylor, for repairing hose for Fire Department. Referred to Committee on Fire.

P. H. Bender (3,) for printing &c. Referred to Committee on Claims.

REPORTS OF COMMITTEES.

Ald. Wheeler, from the Committee on Streets, reported in favor of the adoption of the following resolution:

That the Street Commissioner is hereby authorized and directed to contract with William Mench for removing all the dirt, ashes, filth, manure, and rubbish of all kinds, that have accumulated, or may hereafter accumulate or be found in the paved streets and alleys of the city, or any part or portion of them, until the first day of January, 1864, in accordance with the ordinances of the city and specifications for doing the work at a sum of $3,000 for the first year and $3,400 for the two succeeding years, or an aggregate of $9,800 for the entire completion of the contract.

Ald. Felton moved that said report be referred back to the Committee on Streets until the next meeting of the Council.

Ald. Adams moved the previous question, which was ordered.

The motion of Ald. Felton was then lost, and the said report was then adopted.

Ald. Swartz, from the Committee on Side and Cross walks reported in favor of the adoption of the following resolutions.

That the owners of land, on the westerly side of Spring street, between Sycamore and Genesee streets, cause a sidewalk to be repaired, four feet wide, by substituting good new hemlock plank, three inches thick, where necessary, and if not done within ten days, that the Street Commissioner cause the same to be done at an expense not exceeding $150, and report. Adopted.

That the Street Commissioner cause a plank sidewalk to be constructed across Tupper street, on the westerly side of Michigan street, at an expense not exceeding $8, and report. Adopted.

That the owners of land, on the southerly side of Genesee street, between Mortimer and Jefferson streets, cause a sidewalk to be repaired, four feet wide, by substituting new hemlock plank, three inches thick, where necessary, and if not done within ten days, that the Street Commissioner cause the same to be done at an expense not exceeding $100, and report. Adopted.

That the owners of land, on the west side of Michigan street, between Sycamore and Batavia streets, cause a sidewalk to be repaired, four feet wide, of hemlock plank, three inches thick, and if not done within fourteen days, that the Street Commissioner cause the same to be done at an expense not exceeding $75, and report. Adopted.

That the Street Commissioner cause a plank crosswalk to be repaired across Grosvenor street, on the southerly side of South Division street, at an expense not exceeding $6, and report. Adopted.

That the owners of land, on the westerly side of German street, between Genesee street, and a point 197 feet northerly therefrom, cause a sidewalk to be constructed, three feet wide, of good hemlock plank, three inches thick, and if not done within ten days, that the Street Commissioner cause the same to be done at an expense not exceeding $26, and report. Adopted.

Also, in favor of directing the Assessors to make an assessment, as follows:

Assess $20 for repairing sidewalk, on the northerly side of Tupper street, between Main and Franklin streets. Adopted.

Ald. Yaw, from the Committee on Fire, reported in favor of the adoption of the following resolution:

That permission be and is hereby granted to John C. Clifford, to raise the wing of the frame building next south of the North Presbyterian Church, one story, under the direction of the Fire Marshal, and subject to the further order of the Council. Carried. Ayes, 14; Noes, 0.

Also, in favor of drawing orders in favor of the persons and for the amounts as hereinafter set forth:

John Brush, for services as watchman in bell tower—$112 50.

George Redline, for same—$112 50.

Donald Thane, for services as engineer of steam fire engine—$140.

James H. McWhorter, for same—$40 33.

Fred. Joset, for same—$90 50.

Nat. Negus, for services as fireman of steam fire engine—$25.

Henry S. Riddle, for same—$46 67.

Aden Tyler, for same—$17 08.

Asa White, for same—$16 20.

Nicholas Nipper, for same—$22 50.

John Thompson, for same—$15.

Wm. H. Abbott, for services as driver of steam fire engine—$69 17.

Jacob Pfohl, for same—$69 17.

Loomis Lyman, for services as porter for Fire Marshal—$87 50.

Andrew Voght, for same—$87 50.

D. Kissock, for carting for Fire Department (3 months)—$50. Adopted.

Also, in favor of allowing the following accounts, and drawing orders for same:

George Day, for sundries for Fire Department—$74 95.

D. C. Weed & Co., for same—$36 84.

Davenport & Nelson, for repairs for steamer C. J. Wells—$29 05.

DeForest & Coye, for coal for Fire Department—$235.

James Howells, for use of team on steam fire engine—$78 75.

R. L. Burrows, for services and disbursements for Fire Department—$250 66.

Henry Swartz & Co., for repairing engine house of "C. J. Wells"—$35.

Jacob Gerlach, for painting for Fire Department (balance account)—$3 80.

Thos. B. French, for sundries for Fire Department (balance account)—$9 75.

Thomas M. Ottley, for oats for horses on steamer—$37 50.

Wm. Taylor, for repairing hose—$15.

Richard Dennison, for services as engineer of "C. J. Wells"—$12 50.

George L. Burns, for ladders broken by firemen—$10. Adopted.

Ald. Howard, from the Committee on Claims, reported in favor of drawing orders in favor of the Judges of the Superior Court, and the several city officers for the

amounts due them respectively for salary for quarter ending March 31.

Ald. Howard moved to so amend said report that it direct an order for $312 50 to be drawn in favor of R. H. Best, instead of $250, the amount named in said report. Carried.

The report as so amended was then adopted.

Also, reported in favor of drawing orders in favor of sundry employees in the Comptroller's, Surveyor's, Receiver of Taxe's, City Clerk's and Assessor's Departments, for the amounts due such employees respectively for services to April 1st, and in favor of the Messenger and Sergeant-at-Arms to the Council, for attendance at twenty-five meetings of the Council. Adopted.

Also, in favor of the adoption of the following resolution:

That orders be drawn in favor of Josiah Barnes for $37 50, Cook & Lyttle, for $16 25, and N. Case for $15, in full for rent of rooms occupied by Chief of Police to April 1st. Adopted.

Also, in favor of allowing the followigng accounts and of drawing orders for same:

Lewis Compton, for making railing, &c., at Third Ward Polls—$2 25.

A. M. Clapp & Co., for Morning Express to January 1, 1861—$6 50.

Same, for advertising for Mayor—$3.

E. J. Faxon, for Bank Note Register for Treasurer—$2 50

H. A. Dann, for services in City Clerk's office—$13 33.

L. L. Trowbridge, for services in Receiver's office—$23.

Fritz Geiger, for same—$18.

John B. Weber, for same—$32.

George Weidrich, for same—$32.

John W. A. Meyer, for same—$18.

Wm. Ashman, for same—$16.

Christian Bronner, Jr., for same—$34.

Peter Cannon, for services as Porter—$6 39.

H. C. Brown, for grate for Superintendent's office—$18.

Harry Hersee, for chairs, &c., for Comptroller's and Street Commissioner's offices—$4 75.

Sherman & Barnes, for oil cloth for Surveyor's office—$35 00.

Felthousen & Russell, for labor and material for Surveyor's office—$2 38.

Same, for stove in Surveyor's office—$15.

Some, for stoves for Council Chamber—$35.

Same, for sundries for City Buildings—$9 83.

C. Bull, for coal for Council Chamber—$6.

Geo. Day, for sundries for City Building—$10 60.

Samuel D. Sikes, for repairing chairs in City Clerk's office—$4 25.

Hersee & Timmerman, for repairs in Treasurer's office—$0 75.

Harriet Atwood, for cleaning City offices—$11 66.

Christopher Nolan, for fixing halyards to Liberty Pole—$3. Adopted.

Also, in favor of the adoption of the following resolution:

That the account of F. G. Pattison, in which he claims the sum of $71 25, for taking affidavits in the Assessors Office, be disallowed, for the reason that the same is rendered in gross and not in items, so that this Council can see or ascertain whether the same or any portion of it is a proper charge against the city or not, and that the said claimant be requested to present his account in items in detail, so that the Council examine into the same. Adopted.

Ald. Mills, from the Committee on Police, reported in favor of allowing the following accounts, and of drawing orders for same, viz:

Captains of Police and Policemen, for services from January 1st to 7th, $568 94.

Captains of Police, Clerk and Policemen, for services in month of January, $1,849 66.

Same, for services for month of February, $2,033 42.

J. F. E. Plogsted, for conveying prisoners to Penitentiary—$3 37.

Geo. W. Sherwood, for conveying prisoners to Penitentiary—$4 87.

Benjamin Toles, for conveying prisoners to Penitentiary—$5 63.

J. O. Hopkins, for conveying prisoners to Penitentiary—$12 37.

Adam Jones, for conveying prisoners to Penitentiary—$6 37.

S. Thornton, for conveying prisoners to Penitentiary—$4 87.

Eli Fontain, for conveying prisoners to Penitentiary—$7 50.

Jacob Emerick, for conveying prisoners to Penitentiary—$19 50.

Geo. B. Mitchell, for conveying prisoners to Penitentiary—$12 37.

C. Bull, for coal for Chief of Police—$11 50.

J. M. Daniel, for wood for Chief of Police—$24.

Frank Cist, for sawing wood for Police—$6 50.

L. Leanhardt, for clubs for Police—$29 25.

Felthousen & Russell, for dark lanterns for Police Department—$4 50. Adopted.

Ald. Storck, from the Committee on Markets, reported in favor of the adoption of the following resolutions:

That the action of the Clerk of the Markets, in causing iron grates to be placed on the windows of the Washington Street Market, at an expense of $2 77 per window, and in causing grates on said windows to be altered at an expense of $18 56, be and the same is hereby sanctioned and authorised by the Common Council. Adopted.

That an order for $273 40 be drawn on the General Fund, 1860, Market Department, in favor of H. S. Chamberlain, in full for his account for furnishing and placing grates on the Washington Market windows and altering grates on said windows. Adopted.

Also in favor of allowing the following accounts, and drawing orders for same:

George Day, for plumbing at the Washington Market—$10 16.

Hiram Atwood, for services as Porter at Clinton Market, from January 1st to 8th, inclusive—$6 44.

Enoch Bachelder, for same at Niagara Market—$6 44. Adopted.

By Ald. Mills—

The Committee on Wharves, Harbors and Ferries, to whom was referred the subject of a Ferry across Niagara River at Black Rock, opposite Fort Erie, Canada side, on sundry petitions, remonstrances, &c., would beg to report as follows:

That in our opinion, the increased business wants of the people on both sides of the River require much better facilities for crossing at the point above named, than has heretofore existed. The lease of the present incumbent expires May 1st, next. We would recommend that the Ferry be leased to some party or parties from that time, for a term of years as this Council may determine, who will put on and maintain a new, good and substantial modern built Ferry Boat, of good speed, capable of crossing the river at all times, and suitable to the wants of business, to be run to meet the accommodation and wishes of the people on both sides of the river, of not less than one hundred feet in length, (100) and (35) thirty-five feet wide over guards and all, and eight (8) feet hold, with wide gangways and roomy decks, to allow loads of hay or any other material to drive on with ease, and to provide good and safe gang-planks, with side protections to them to allow passengers, teams or stock to go on and off the boat with ease and safety; the boat to be a side wheel one and to be propelled with a powerful, good engine and boilers, and the boat to be furnished with suitable small boats to be hoisted on cranes or davitts, so they can be lowered easily and readily in case of need, and to be furnished with means to extinguish fires, with life preservers, and all modern contrivances to preserve life and to avoid accidents; the space between decks to be of good height to allow ordinary loaded teams to drive under cover, and that the boat be partially decked over for that purpose, and that a suitable, good cabin be provided for the accommodation of passengers. And further, that we recommend that the boat be run from the foot of Albany, Ferry or Breckenridge streets, as this Council may deem best; that the party or parties to whom the grant is made be compelled to build a swing bridge across the Black Rock Harbor at the point where the Ferry is to land, to be designated by this Council, and to grade the street designated by this Council at the foot of which this Ferry is to be located, at a grade not to exceed seven feet to the undred, and to plank, pave or macadamise the same; the boat equipment, the landing, the approaches to the Ferry, the bridges, and everything connected with it, to be constructed and kept in perfect repair during the term of the lease, by the party or parties holding the same solely; the boat to be run from sunrise in the morning from the first day of April to the first day of December, to eight o'clock in the evening, every thirty minutes, and from the 1st day of December to the 1st day of April, from sunrise till seven o'clock in the evening, every 30 minutes; and to run after the hours above named the year round as this or a subsequent Council may determine necessary to meet the real wants and accommodations of the business. The lease to be granted to them by this Conncil contingent upon the faithful performance and fulfillment of all its provisions, and liable to be revoked by this Council on the wilful and persistent violation of it. We would recommend that a lease be made for a term of years as this Council may determine, to responsible parties, who are willing to take the same, and give such security as this Council may deem necessary; but it is the opinion of this Committee that the investment of the party or parties accepting the lease would have to make by the conditions of the lease, and its stringent provisions, would be ample security for its faithful performance, without any additional security. We would recommend the following tariff of prices to be attached to the lease as one of its conditions:—

For each adult foot passenger crossing said river, 5 cents.

Children, each, 3 cents.

Horse and rider, 10 cents.

Vehicle and driver, drawn by one horse, 15 cents.

Vehicle and driver, drawn by two horses, 25 cents.

Vehicle and driver, drawn by four horses, 35 cents.

Passengers in any vehicle, each, 5 cents.

For each barrel bulk, 5 cents.

Grain in bags, except when loaded on a wagon or other vehicle, ½c ℔ bushel.

All articles not enumerated, ℔ barrel, bulk, 5 cents.

Cattle, horses or mules, each, 5 cents.

Hogs and sheep on foot, each, 2 cents.

We would recommend that the City Clerk advertize in the City papers five days for sealed proposals from parties wishing to get this lease to equip and operate the Ferry, on the terms as above proposed, or as this Council may amend this report, the proposals to be handed in to the Committee on Wharves, Harbors and Ferries, to be opened by them and reported to this Council.

Ald. Howard moved that said report be laid upon the table until the next meeting of the Council, to be taken up under the order of Reports from Committee on Wharves, Harbors and Ferries, and that same be prinied. Carried.

Ald. Wheeler, from the Committee on Public Grounds, reported in favor of allowing the following accounts, and of drawing orders for same:

Charles Kaumeyer, for services as keeper of the Court House Park for January, 1861, $7 00.

Mendsen & Co., for repairing carpet, &c., in the Comptroller's Department—$6 75.

Otis F. Presbrey, for repairs in the City Clerk's Office —$8 69. Adopted.

Ald. Adams, from the Committee on Public Lamps, reported in favor of allowing the following accounts, and of drawing orders for same:

Buffalo Gas Light Co., for gas for public lamps for January—$4,117 87.

Same, for gas for public lamps, for Feb'y—$3,719 75.

Same, for " " " for March—$3,563 18.

Charles Groben, for lighting, &c., public lamps for January—$414 76.

Same, for lighting, &c., public lamps for February—$415 74.

Same, for lighting, &c., public lamps for March—$415 35. Adopted.

Ald. Crowder, from the Committee on New Territory, reported in favor of the adoption of the following resolution.

That the Street Commissioner cause a sewer and receiver, to be constructed on the westerly side of Niagara street, at southerly end of the bridge across Scajaquada Creek, at an expense not exceeding $60, and report. Adopted.

That the Street Commissioner cause a sewer and receiver to be constructed in the easterly side of Niagara street, at the southerly end of the bridge across Scajaquada Creek, at an expense not exceeding $60, and report. Adopted.

Also, in favor of allowing the account of Alvin Joslyn, for repairing bridge across the ravine, on Elk street,

about 400 feet easterly from Dole street, amounting to $9 61, and of drawing an order for same. Adopted.

Also, reported in favor of the adoption of the following resolutions :

That the City Surveyor is hereby directed to cause the lines of Vermont street to be run from Fourth street to Rogers street, and make a map or plan showing all obstructions being or standing in said Vermont street, and what such obstructions are, and how much any building or fence encroaches upon said street; and that he report the same to this Council at its next regular meeting. Adopted.

That Niagara street be repaired from the bridge across Scajaquada Creek to a point about forty feet southerly therefrom, at an expense not exceeding $100. And that the Street Commissioner is hereby directed to cause the same to be done under the advice and direction of the City Surveyor, and report the expense to this Council. Adopted.

SPECIAL COMMITTEES.

Ald. Felton, from the Special Committee on revising the City Ordinances, reported the following, with the request that the same be printed and referred to the Committee of the Whole.

CHAPTER V.

OF WEIGHTS AND MEASURES.

§ 1. Every merchant, retailer, trader, and dealer in merchandise, or property of any description, which is sold by measure or weight, shall cause their weights, measures, scale-beams, and steelyards, to be sealed by the city sealer, and shall submit the same to his inspection on demand, under the penalty of five dollars for each and every neglect or refusal to cause the same to be sealed, or for neglecting or refusing to submit them for his inspection.

§ 2. No person or persons shall sell or offer for sale, any commodity by wine measure, which is required by the laws of the State of New York to be sold by dry measure, under the penalty of twenty-five dollars for each and every offence.

§ 3. No person or persons shall sell, or offer for sale, any coal, ashes, lime, marl, Indian corn in the ear, fruit, and roots of every kind, or any other commodity commonly sold by heap measure, except in cylindrical vessels, with a plain and even bottom, and of the following dimensions, to wit: If a bushel, it shall be 19½ inches in diameter from outside to outside; if a half-bushel, 15½ inches in diameter; if a peck, 12½ inches in diameter, nor in peck, half peck, quarter peck, quart, or pint measures, unless those measures be derived from the standard half bushel by successively dividing that measure by two, and be of proportionate diameter from outside to outside; nor shall any person sell or offer for sale any such commodity, unless duly heaped up in the form of a cone, the outside of the measure by which the same shall be measured to be the limit of the base of the cone, and such cone to be as high as the outside will admit. Every person who shall violate any of the provisions or prohibitions of this section shall forfeit and pay a penalty of twenty-five dollars for each and every offence.

§ 4. No person or persons shall offer for sale any commodity by weight or measure, until his or their weights, measures, scale beams, and steelyards, shall have been made to conform to the standard of weights and measures of the State of New York, and sealed by the city sealer, under the penalty of twenty-five dollars, for each and every offence.

§ 5. It shall be the duty of the city sealer, at least once in each year, to examine and compare all weights, measures, scale-beams, and steel-yards, or any other instrument used for the determination of weights and measures; and if found er made to conform to the standard in his possession, to seal the same, and from time to time report to the City Attorney the names of all persons who have violated any of the provisions of this chapter; and it shall also be the duty of the said sealer to brand or stamp the letters "B., N. Y." upon all weights, measures, scale-beams, and steelyards, or other instruments used for the determination of weights and measures, when he shall ascertain the same to conform to the said standard.

§ 6. The sealers of weights and measures shall be entitled to receive for their services at and after the following rates:

For sealing and marking every beam, ten cents.

For sealing and marking measures of extension, at the rate of ten cents per yard, and not to exceed fifty cents for any one measure.

For sealing and marking every weight, five cents.

For sealing and marking liquid and dry measures, ten cents for each measure. He shall also be entitled to a reasonable compensation for making weights and measures conform to the standards in his possession.

§ 7. Penalties incurred for a violation of any of the provisions of this chapter, may be sued for and recovered, with costs, before any Justice of the Peace in and for said city.

CHAPTER VII.

OF THE SALE OF BREAD BY WEIGHT, &C.

§ 1. All bread manufactured by the bakers of the City of Buffalo, for sale, shall be made of good and wholesome flour or meal, into loaves of one and a half, or three pounds, or upwards to the weight of six pounds, avoirdupois weight; and every loaf of such bread, except twisted loaves, shall be marked with numbers indicating the weight of such loaf, and also with the initial letter of the baker thereof; and if any baker, or other person, shall offer or expose for sale any bread not so marked, except as aforesaid, every baker or other person so offending shall, for every such loaf, incur a penalty of twenty-five cents.

§ 2. If any baker shall make, for sale, sell or expose for sale, any bread not made of full weight, as required by the first section of this article, he shall incur a penalty of five dollars for every such offence.

§ 3. If any baker shall make, for sale, sell or expose for sale, any bread made of unwholesome materials; and if any other person shall sell or expose for sale any such bread, knowing the same to have been made of unwholesome materials, the person so offending shall incur a penalty of fifty cents for each loaf so made, sold or exposed for sale.

§ 4. It shall be lawful for the Mayor or for any Constable duly authorized by the Mayor, or Police Justice, to enter, in the day time, into any house, shop, bakehouse, warehouse, outhouse or enclosure of, or belonging to any baker, or seller of bread made by such baker, and to search for, view, try, and weigh all or any bread that

shall there be found, and if any bread, on any such search or detention, shall be found made in violation of or contrary to any of the requisitions of any part of this article, such Mayor, or Police Justice, may seize the same, to be disposed of for the benefit of the poor of the said city.

§ 5. Penalties incurred for the violation of any of the provisions of this chapter, may be sued for and recovered, with costs, before any Justice of the Peace in and for said city.

CHAPTER VIII.

OF THE SALE OF WOOD.

§ 1. It shall be the duty of every person, when offering for sale, or selling, any wood, at any place within the city, to state to the purchaser, before buying, the exact measurement, as, also, the kind of such wood; and any person who shall neglect or refuse so to state the measurement, or kind, before selling, or shall, at any time, over-state the quantity, or misrepresent the kind of, such commodity, shall, upon conviction, before any Justice of the Peace, or other officer authorised by law to try offences against the ordinances of the city of Buffalo, forfeit and pay the sum of ten dollars, for each and every offence. When delivering wood, if requested by the buyer so to do, the vender shall pile, or cause to be piled, the same, in as compact and square a form as possible; and a failure to do so shall subject the offender to a fine of five dollars, for each and every offence, to be recovered as above.

CHAPTER XI.

OF PUBLIC GROUNDS.

§ 1. No person thall play at ball, quoits or at any other game or play whatever, in any of the enclosed public squares or grounds in this city, without permission from the Common Council, under the penalty of five dollars for each and every offence.

§ 2. No person shall walk, stand, or lie upon any part of any of the enclosed public grounds, laid out and appriated for shrubbery or grass, under the penalty of five dollars for each and every offence.

§ 3. No person shall pull up, break down, climb, or injure any of the trees, grass, or shrubbery, in any public ground or square, nor shall any person climb, bend, cut, mar, or in any manner injure any of the trees in such public grounds or squares, under the penalty of twenty-five dollars for each and every offence.

§ 4. The Common Council shall appoint proper persons as keepers of the park, the enclosed parts of the Cazenovia terrace, and such other public grounds and places as they shall deem expedient, whose duty it shall be to report to the City Attorney all violations of the ordinances relating thereto.

§ 5. It shall not be lawful for any person or persons to erect any platform, or to join in any public meeting within the enclosed parts of any of the public grounds or squares of this city, without permission from the Mayor, under the penalty of twenty-five dollars for each and every offence.

§ 6. No person shall cut, whittle, break, or in any manner injure, any of the seats or benches, or the backs or rails of any of the seats or benches, now or hereafter to be put or placed in any of the public grounds of the city, nor any of the fences surrounding such grounds, under the penalty of five dollars for each and every offence.

§ 7. No person shall be allowed to paste on any fence-post or bill-board, put up around any public ground, in said city, any handbill, placard, or poster, under a penalty of five dollars for each and every offence.

§ 8 Penalties incurred for the violation of any of the provisions of this chapter, may be sued for and recovered before any Justice of the Peace in and for said city.

CHAPTER XII.

OF PAWNBROKERS.

§ 1. No person shall act as, or carry on the business of, pawnbroker within the city of Buffalo, without having previously obtained a license to do so under the provisions of this title, under the penalty of fifty dollars for each and every offence.

§ 2. The Common Council of the City of Buffalo may grant to any person who shall apply therefor, and produce satisfactory evidence of good character, a license to carry on the business of a pawnbroker in the said city of Buffalo; which license shall expire on the first day of May next after the granting thereof.

§ 3. Every person receiving such license shall pay therefor to the City Treasurer, for the use of the city of Buffalo, the sum of one hundred dollars, before such license shall be issued.

§ 4. Every person so licensed shall enter into a joint and several bond, with two sufficient sureties, to the city of Buffalo, in the penalty of five thousand dollars, conditioned for the observance of the ordinances of the city of Buffalo, and the faithful discharge of his duties as pawnbroker, and the accounting for and paying over all moneys which he shall be liable to pay as such pawnbroker, to the city of Buffalo, or to any other person.

§ 5. No pawnbroker of the city of Buffalo shall keep more than one house, shop, or place for taking goods to pawn, by virtue of one license, under a penalty of fifty dollars for every house, shop, or place where pledges are taken without such license. Nevertheless, persons in partnership, carrying on the trade together as pawnbrokers in one house, shop, or place, need only take out one license.

§ 6. Every pawnbroker shall cause his name, and the word "pawnbroker," to be printed in large, legible characters, over the front door, outside his shop, or other place used by him for carrying on such business, on pain of forfeiting, for the use of the said city, fifty dollars, for any place made use of as aforesaid, for each and every week, without having the name so put up.

§ 7. Every pawnbroker shall keep a book, in which shall be fairly written, at the time of each loan, an accurate account and description of the goods, article, or thing pawned, the amount of money loaned thereon, the time of pledging the same, and the name and residence of the person pawning or pledging the said goods, articles, or things.

§ 8. Every pawnbroker shall, at the time of each loan, deliver to the person pawning or pledging any goods, articles, or things, a memorandum or note, signed by him or her, containing the substance of the entry required to be made in his or her book, by the last preceding section; and no charge shall be made for such entry or memorandum.

§ 9. The said book shall, at all reasonable times, be open to the inspection of any and all persons holding and filling office under and in pursuance of the charter of this city.

§ 10. No pawnbroker shall demand, take, or receive, any greater rate of interest than one and a half per cent, per month, and at, and after that rate, for a greater or less period, upon any loan made in pursuance of the business of pawnbrokerage, which said charges or interest shall be taken as a full satisfaction for all interest due and charges for wareroom, except charges for insurance, when parties wish to insure their pledges. Any pawnbroker demanding a greater rate of interest than the foregoing sums, shall forfeit and pay for the use of the said city, fifty dollars for each and every offence.

§ 11. Every pawnbroker in the said city of Buffalo, shall cause to be painted or printed, in legible characters in the English, French, and German languages, the rate of profit allowed and to be taken by this ordinance, and place the table and rates in a conspicuous part of the shop or place, where such business is carried on, so as to be visible to persons pledging goods, under the penalty of fifty dollars for each and every day the said table of rates is not so exposed to view.

§ 12. If any goods shall be pawned or pledged with any pawnbroker in the said city of Buffalo, and if, within one year after the pawning thereof, the pawner or other person in his behalf, shall tender to the said pawnbroker the note or memorandum directed to be given by this ordinance aforesaid, together with the principal-money borrowed and interest thereon, according to the rate of this ordinance established, and if the pawnbroker shall thereupon, without reasonable and sufficient cause or excuse, refuse to deliver back the goods so pawned, or make satisfaction therefor, he shall forfeit and pay fifty dollars for the use of said city, and be liable for the value of the said goods pledged.

§ 13. No pawnbroker shall sell any pawn or pledge until the same shall have remained in his or her possession at least one year after the expiration of the time limited for the payment of the money thereupon, under a penalty of fifty dollars for each and every offence.

§ 14. All sales of the property pawned or pledged shall be at public auction, and not otherwise; and notice of every such sale shall be published for at least six days in succession, in the official paper of the city, and such notice shall specify the time and place at which such sale is to take place, and a description of the goods or articles to be sold, on pain and forfeiture of fifty dollars for every pledge, as aforesaid, sold without such advertisement.

§ 15. Every pawnbroker of the said city of Buffalo shall enter in a book to be kept for that purpose a just account of the sale of such goods sold by auction, expressing the day of the month when pledged, the name of the person pledging, and the day when, and the amount for which, each pledge was sold, together with the name of the auctioneer; and if such goods are sold by auction for more than is due thereon, the overplus shall be paid, on demand, to the person by whom, or on whose account, such goods were pawned, his executors or assignees; provided such demand be made within six years after such sale shall have taken place, the necessary cost and charges of such sale and advertisement being first deducted. And any person who pledges such unredeemed goods, his executors or assigns, shall be, at all times, permitted to inspect the entry book of sale, by paying for such inspection ten cents, and no more; and if the said pawnbroker shall refuse the parties interested to inspect such entry, or shall refuse to pay the overplus, on demand, as aforesaid, he shall forfeit and pay for the use of the said city, fifty dollars for each and every offence, together with double the sum such goods were originally pawned for, to the person by whom, or on whose account, they were pledged, to be recovered before any Justice of the Peace of the said city.

§ 16. No pawnbroker in the said city of Buffalo shall receive or take any goods in pledge from any person who shall appear to be under the age of twenty-one years, or to be intoxicated, or an habitual drunkard; nor employ any clerk or other person under sixteen years of age, to take in any pledge, nor receive any goods by way of pawn or pledge before seven o'clock in the morning, nor after eight o'clock in the evening, nor on Sunday, under the penalty of fifty dollars for each and every offence.

§ 17. No pawnbroker in the said city of Buffalo shall, under the penalty of fifty dollars, knowingly take in pawn from any journeyman mechanic, apprentice, or servant, any part or branch of any manufacture, either mixed or separate, or any material plainly intended for manufacturing any goods, and before such goods or materials are finished, for the purpose of wear or consumption.

§ 18. Penalties incurred for the violation of any of the provisions of this chapter may be sued for and recovered, with costs, before any Justice of the Peace in and for said city.

CHAPTER XIII.

OF HACKMEN, CARTMEN, AND PUBLIC PORTERS.

Title 1.—Of Hackney Coaches.

§ 1. The mayor may issue licenses to such persons as are twenty-one years of age, and citizens of the United States, to keep hackney coaches, or other carriages of any description, for hire, upon the payment of such sums as the common council may, from time to time, direct for every coach, or other carriage; and such license stating the number of the coach, or other carriage, and the name of the person to whom it is granted, shall continue in force until the first Tuesday in April, after the date thereof; and no person or persons shall keep, or use, or drive, any hackney coach, or other carriage, for hire, in the said city, without being licensed as aforesaid, under the penalty of twenty-five dollars for every such offence.

§ 2. Every person applying for any such license, shall execute a bond, with one or more sureties, to be approved of by the mayor, in the penalty of two hundred dollars, conditioned that he will pay all penalties he may incur, and all damages for which he may become liable, to any person whatever.

§ 3. No person licensed as above shall assign his license, or permit any other person to drive his hackney coach, or other carriage, without permission of the mayor endorsed on the back of his license, under the penalty of ten dollars for each and every offence.

§ 4. Every person licensed as aforesaid, as soon as licensed, shall cause the number of his license to be plainly designated upon some conspicuous place on each side of his coach, or other carriage, under the penalty of ten dollars for every day he shall use, or run, his coach, or other carriage, without having the same so numbered.

§ 5. Every hackney coach or other carriage, when driven or used in the night, shall have fixed upon some con-

picuous part of the outside thereof two lighted lamps, with plain glass fronts and sides, and having the number of the license of the owner or driver of such hackney coach or carriage, in plain legible figures, of at least two inches in length, without any other figures or device, painted with black paint upon each of the said lamps, in such a manner that the same may be distinctly seen and known; and the owner or driver of every hackney coach or other carriage, which shall be driven or used in the night, without complying with this provision, shall each forfeit and pay the sum of ten dollars for each and every offence, to be recovered from the owner or driver thereof, severally and respectively.

§ 6. The prices which may be charged by the owners or drivers of hackney coaches or other carriages, are as follows:—

1, For conveying every passenger, any distance not exceeding one mile, twenty-five cents;

2, For conveying every passenger any distance over one mile, and not exceeding two miles, fifty cents;

3, For conveying every passenger over two miles to any point in the city, one dollar;

4, For children, between two and twelve years of age, half the above prices only; and for children under two years of age, no charge is to be made;

5, For the use of a hackney coach or other carriage by the day, for one or more passengers, five dollars;

6, For the use of a hackney coach or other carriage, by the hour, with one or more passengers, with the privilege of going from place to place, and of stopping as often as may be required, as follows, viz: for the first hour, one dollar; for the second hour, seventy-five cents; and for every succeeding hour, fifty cents;

7, Distances shall be measured by the most direct traveled route; and in all cases where the hiring of a hackney coach or other carriage, is not at the time thereof specified to be by the day or hour, it shall be deemed to be by the mile;

8, Each passenger shall be allowed to have carried and conveyed upon such hackney coach, or other carriage, one trunk, valise, saddle-bag, carpet-bag, portmanteau, box, bundle, basket, or other article used in traveling, without charge; but for every trunk or other article above enumerated more than one, carried and conveyed upon such hackney coach, or other carriage, the owner or driver thereof shall be entitled to demand and receive the sum of five cents, if conveyed within the distance of one mile, and if more than one mile, the sum of ten cents.

§ 7, The penalty of ten dollars for each and every offenec, shall be imposed upon the owner or driver of any hackney coach, or other carriage, who shall—

1, Refuse or neglect to convey any person or persons to any place within the bounds of the city, upon being applied to for that purpose: or,

2, Ask, demand, take, or extort, any greater prices or rates than those herein established, or charge any additional sum for going from the stands to take up a passenger or passengers, excepting that the distance from the stands shall be considered as a part of the distance for which he shall be entitled to the regular fare; or —

3, Neglect or refuse to place upon the inside of his coach, or other carriage, in a conspicuous place, a card, containing the number of the license, the name of the owner, and rates of fare, printed in legible characters; or,—

4, Be guilty of embezzlement or deceit in the execution of his duty, misleading or misrepresenting, or imposing upon travelers; or —

5, Of cruelty to his horse, or horses; or —

6. Neglect or refuse to convey any person, by the most direct roads, to any steamboat landing or railroad depot, or convey any such person to any emigrant or other passage office, unless required to do so by the person conveyed.

§ 8. The Mayor shall from time to time, designate such place or places as he shall deem proper, at which hackney coaches, or other carriages, may stand waiting for employment on any day except Sundays.

§ 9. The owner or driver of any hackney coach, or other carriage, which shall stand waiting for employment at any other time or place than may be designated as aforesaid, shall forfeit and pay for every such offence the sum of ten dollars, to be recovered from the owner or driver thereof, severally and respectively.

§ 10. No owner or driver of any hackney coach, or other carriage, licensed as aforesaid, shall act as runner, or solicit passengers within the city of Buffalo, for any hotel, boarding house, tavern, or other house of entertainment, nor for any steamboat, propeller, railroad, canal boat, stages, or other modes of conveyance, under the penalty of twenty-five dollars for each and every offence.

§ 11. Every owner or driver of any hackney coach, or other carriage, who shall, while waiting for employment at any stand designated as aforesaid, or while waiting for employment at any railroad termination, steamboat landing, or canal packet, or line boat landing, leave such coach, or other carriage, or who shall snap or flourish his whip, or use indecent or profane languarge, or be guilty of loud or boisterous talking, or hallooing, or of disorderly conduct, or obstruct any cross or sidewalk, shall forfeit and pay for each offence the sum of ten dollars. But nothing herein contained shall be construed to prevent any owner or driver of any coach, or other carriage, after he shall have been employed, from leaving his coach, or other carriage, for the purpose of carrying the baggage of the person employing him to his coach, or other carriage.

§ 12. The mayor is hereby authorized to make such regulations and give such directions respecting the places or positions to be occupied by hackney coaches, or other carriages at the public stands, or while in waiting for employment at any railroad termination, steamboat landing, or canal-packet or line-boat landing, as may be necessary to preserve order and promote the public convenience. The mayor is also hereby authorized to direct the owner or driver of any hackney coach, or other carriage, which shall not have the number of the license thereon, or which shall not be lighted at night, in the manner herein before prescribed; or the owner or driver of which shall have violated any of the provisions of this title forthwith to leave with his coach, or other carriage, any public stand, railroad termination, steamboat landing, on canal-packet or line-boat landing, and not to return to the same without permission first had from the mayor. Every person who shall neglect or refuse to obey any regulations or directions of the mayor, authorized to be made or given by him, in this section, shall forfeit and pay for each offence the sum of twenty-five dollars.

§ 13. The mayor is hereby authorized to designate one or more police officers of the city to attend at the several railroad terminations, steamboat landings, or canal-packet or line-boat landings, in the city of Buffalo, whose duty it shall be, among other things, to regulate and preserve order among the owners and drivers of hackney coaches, or other carriages, and to report to the mayor all violations of these ordinances; and the said police officer or officers so designated by the mayor shall have power and authority, the mayor not being present, to direct where the said hackney coaches, or other carriages, shall stand or be placed, at the said railroad terminations, steamboat landings, or canal-packet or line-boat landings; and any person who shall neglect or refuse to obey the directions of the said police officer or officers so designated, shall forfeit and pay for each offence the sum of ten dollars.

§ 14. The Mayor may insert in any license which may hereafter be issued to any person to keep or drive a hackney coach, wagon, omnibus, or other carriages of any description, for hire, a provision that such license shall only authorize such person to keep or drive for hire such vehicle, under such license, in the business of transporting passengers and their baggage to and from the public hotels and taverns in this city; and any person having a license with such provision therein contained, who shall keep or drive for hire any such vehicle as aforesaid, in any other or different business than the transportation of passengers and their baggage to and from the public hotels and taverns in this city, without license so to do, shall forfeit and pay to the city of Buffalo, the penalty of twenty-five dollars for each and every offence. Any license issued pursuant to the foregoing provisions of this section, instead of designating a number to distinguish the license, may designate for that purpose a letter of the alphabet; and every person so licensed shall, as soon as licensed, cause the letter so designated in his license to be plainly designated on some conspicuous place on each side of his omnibus, carriage, or other vehicle, under the penalty of ten dollars, to be paid to the city of Buffalo, for each and every day he shall use, drive, or run his omnibus, carriage, or other vehicle, without having so designated thereon the letter which shall be so as aforesaid designated in his license.

Title 2.—Of Cartmen and Public Porters.

§ 1. No person shall act as a cartman, truckman, porter, or driver of any baggage or other wagon, used for hire, without license, under the penalty of twenty-five dollars for each and every offence.

§ 2. The Mayor may license as a cartman, truckman, porter or driver of any baggage or other wagon used for hire, any person of good moral character, who shall, at the time of applying therefor, be twenty-one years of age, and a citizen of the United States, on the payment of such sum as the Common Council may from time to time direct.

§ 3. Every person applying for any such license, shall execute a bond, with one or more sureties, to be approved of by the Mayor, in the penalty of two hundred dollars, conditioned that he will pay all penalties he may incur, and all damages for which he may become liable to any person whatever.

§ 4. No person licensed as above shall assign his license, or permit any other person to drive his cart, or wagon, without permission of the Mayor, endorsed on the back of his license, under the penalty of ten dollars for each and every offence.

§ 5. Each cartman, and truckman, and driver of any baggage or other wagon, as soon as licensed, shall cause the number of his license to be plainly painted upon each side of his cart or wagon, with black paint upon a white ground, so as to be easily seen, on the square of the after part of the shaft, and so continue the same, under the penalty of five dollars, for every day he shall drive his cart without having the same so numbered.

§ 6. The prices of rates to be taken for the carriage of goods, wares or merchandise, or other things, where the distance is less than one mile, shall not exceed the following sums:

For each and every hogshead of molasses, 20 cents;

For each and every hogshead of sugar, 20 cents;

For each and every pipe of wine or liquor, 20 cents;

For each and every tierce of molasses over sixty and less than ninety gallons, 25 cents;

For each and every cask of sugar weighing 500 pounds, and less than 800 pounds, 20 cents;

For each and every cask of molasses or liquor containing over thirty, and less than sixty, gallons, for one cask only, 20 cents;

For each and every additional cask of same dimensions, and carried at same load, 10 cents;

For each and every load of household furniture, and housing the same, 40 cents;

For each and every load of dirt and filth, 25 cents;

Every load of baggage, 25 cents;

Every full load of non-enumerated articles, not exceeding a mile, 20 cents; over a mile, 25 cents;

For a single barrel of flour, or its equivalent in weight in other goods, wares, or merchandise, for any distance not exceeding a mile, 20 cents; and for any distance over a mile, not to exceed 25 cents.

§ 7. Licensed porters shall be entitled to the same fees for the transportation of goods, baggage, and other things, as are allowed by law to other cartmen; and shall be subject to the same liabilities and penalties as are herein imposed upon cartmen.

§ 8. No licensed porters shall convey any goods, wares, or merchandise, or any other thing, for hire, without wearing a badge with the word "Porter," and the number of his license plainly painted or engraved thereon.

§ 9. If any cartman, truckman, porter, or driver of any baggage or other wagon for hire, shall ask, demand, take or extort, any greater charge than is herein established, or shall be guilty of embezzlement or deceit in the execution of his duty, or of cruelty to his horse, he shall forfeit the penalty of ten dollars for each and every offence.

§ 10. No cartman, truckman, porter, or driver of any baggage or other wagon, licensed as aforesaid, shall act as a runner or solicit passengers within the city of Buffalo, for any hotel, boarding house, tavern, or other house of entertainment, nor for any steamboat, propeller, railroad, canal boat, stages, or other mode of conveyance, under the penalty of twenty-five dollars for each and every offence.

§ 11. Every cartman, truckman, or driver of any baggage or other wagon, licensed as aforesaid, who shall, while waiting for employment at any railroad termination, steamboat landing, or canal packet or line boat anding, leave his cart, truck, or wagon, or who shall snap or flourish his whip, or use indecent or profane language, or be guilty of loud or boisterous talking, or of hallooing, or of disorderly conduct, or obstruct any cross or sidewalk, shall forfeit and pay for each offence the sum of ten dollars. But nothing herein contained shall be construed to prevent any cartman, truckman, or driver of a baggage or other wagon, licensed as aforesaid, from leaving his cart, truck or wagon, after he shall have been employed for the purpose of carrying the baggage of the person employing him to his cart, truck or wagon.

§ 12. The mayor is hereby authorized to make such regulations and give such directions respecting the places or positions to be occupied by carts, trucks, or baggage or other wagons, licensed as aforesaid, while they are in waiting for employment at any railroad termination, steamboat landing, or canal-packet or line-boat landing, as may be necessary to preserve order and promote public convenience. Every person who shall neglect or refuse to obey any regulations or directions of the mayor, authorized to be made or given by him by this section, shall forfeit and pay for each offence, the sum of twenty-five dollars.

§ 13. The mayor is hereby authorized to designate one or more police officers of the city, to attend at the several railroad terminations, steamboat landings, or canal-packet or line-boat landings, in the city of Buffalo, whose duty it shall be, among other things, to regulate and preserve order among the cartmen, truckmen, drivers of baggage and other wagons, and porters, and to report to the mayor all violations of these ordinances. And the said police officer, or officers so designated by the mayor, shall have power and authority, the mayor not being present, to direct where the said carts, trucks, baggage or other wagons, shall stand or be placed at the said railroad terminations, steamboat landings, or canal-packet or line-boat landing. And any person who shall neglect or refuse to obey the directions of the said police officer or officers shall forfeit and pay for each offence, the sum of ten dollars.

§ 14. Licenses granted to cartmen, haekmen, porters, runners and solicitors, shall expire on the second Tuesday of April in each and every year. All other licenses, except as otherwise provided in the charter or ordinances, shall expire on the first day of May in each and every year.

§ 15. Penalties incurred for the violation of any of the provisions of this chapter, may be sued for and recovered with costs before any Justice of the Peace in and for said city.

CHAPTER XXII.

MISCELLANEOUS ORDINANCES.

§ 1. The parent or guardian of every minor, and the master or mistress of every apprentice or servant, shall be subject to, and pay the penalty of every offence against the ordinances of this city, committed by such minor, apprentice, or servant.

§ 2. No person shall shoot, snare, capture, or destroy any bird (except bird of prey,) within the limits of the city, or any nest of such bird during the period of incubation, or while rearing its young, under the penalty of ten dollars for each and every offence.

§ 3. It is hereby made the duty, in addition to the other duties herein and in the charter required, of persons holding office under the appointment of the Common Council, to report to the City Attorney all violations of any of the city ordinances, which shall come to their knowledge, and the neglect thereof shall be considered good cause for removal from office of any person holding any office under appointment from the Common Council; and it is hereby made the duty of the city attorney, upon such report, to commence prosecution for such violations, and to continue such prosecution to judgment.

§ 4. It shall be the duty of the city clerk, immediately upon the delivery to him by the city assessors of any assessment roll, to make and present to the city attorney an abstract of all the proceedings of the common council relating to the improvement for which such assessment shall be made; and it shall be the duty of said city attorney to submit to the common council his opinion, in writing, as to the regularity of the proceedings in makins such assessment roll, on or before the time fixed by the confirmation of such assessment roll.

§ 5. No officer authorized to appear on behalf of the city in any justice's court shal have authority to consent to the stay of execution upon judgment rendered in favor of the city, in any of the said courts, for the violation of any city ordinance, except the mayor, or city attorney, or his assistants; and neither of those officers shall consent to such stay, for a period exceeding twenty-five days.

§ 6. On or before the first day of January in each and every year, the several heads of the several departments shall furnish to this council a correct inventory of every article owned by the city in his department, together with the valuation of the same; and it shall be the duty of the council to examine the same; and said council shall hold the chiefs of any department responsible for any loss or unnecessary damage to such property.

Referred to the Committee of the Whole, and ordered printed.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Felton—

Resolved, That the resolution relative to election in 12th Ward, as reported by Committee on Water, February 4th, be now taken from the table. Adopted.

The following, being the resolution referred to in the foregoing resolution offered by Ald. Felton, was then taken from the table, to wit:

"That a special election be held for the election of an Adlerman in the 12th ward, on the first Tuesday after the first Monday in June next, and that the City Clerk cause to be published, the proper notice of the same."

Ald. Felton offered the following as a substitute for the resolution taken from the table:

That a special election is hereby ordered to be held in the 12th ward of the city of Buffalo, on the 2d Tuesday in June, 1861, at the same place the last annual election was held, for the purpose of electing an Alderman for said ward, in place of Stephen W Howell, whose term has expired; and that the City Clerk give the necessary notices. Adopted.

By Ald. Wheeler—That an order for $200 be drawn in favor of J. F. Chard, for salary to April 1st, as Deputy Comptroller. Adopted.

By Ald. Crowder—That the Street Commissioner cause the wood culvert across Dearbon street, between Austin and Farmer streets, to be re-constructed, at an expense not to exceed $15, and report. Adopted.

Also—That the City Surveyor report to this Council, at its next meeting, a proper and suitable grade for Ferry street, from Main to Niagara streets, with a profile of the same, with reference to the base line ; and also with reference to the present surface of the street. Adopted.

By Ald. Yaw—That the Main street railroad Company be and they are hereby directed to connect their track on Main street with the track on Genesee street, so as not to endanger wagons, or other vehicles in passing this point of intersection. Adopted.

Also, that the Fire Marshal be and he is hereby directed to advertise for ten days in the official paper, for plans and specifications for a two wheeled hose cart with thills, so as to be drawn by a horse, and a reel to hold 1,000 feet of leather hose, and a box to hold 500 lbs of soft coal, and a seat for 2 or 3 men,—each plan to be accompanied by a bid stating the price for which the bidder will build one, two, three or four of the said hose carts. The outer edges of the wheels to be 4 feet 8 inches apart at the bottom. Adopted.

By Ald. Storck—That the Mayor be requested to have the city ordinances in regard to street peddling of farmers' produce strictly enforced. Adopted.

Ald. Felton moved that the several standing committees be directed to report at the next meeting of the Council, on such portions of the city ordinances as were referred to each of said committees respectively, for revision. Carried.

Resolutions were offered and referred to committes as follows :

That the Street Commissioner be directed to repair sewer and receiver at corner of Perry and Louisiana streets. Referred to Committee on Sewers.

That the sidewalk on the southerly side of Ohio street, between Main and Washington streets, be repaired.

That a sidewalk be constructed on the westerly side of Washington street, between Ohio street and the Dock, on the northerly side of Buffalo Creek.

That the Street Commissioner cause plank crosswalk reconstructed across Franklin street, north side of Edward street.

That the Street Commissioner cause a sidewalk constructed on the west side of Spring street, between Genesee and Sycamore streets.

That the Street Commissioner cause a crosswalk constructed across Allen street, on the westerly side of Delaware street.

That a sidewalk be constructed on the south-east side of Virginia street, between the present walk on Niagara street and the curbing on the south-east corner of Niagara and Virginia streets. Referred to Committee on Side and Cross Walks.

That the peddlers at Elk Street Market be allowed to change their stands. Referred to Committee on Markets.

That no licenses to sell fresh meat be granted to persons not having such for the past year. Referred to Committees on Markets and Licenses.

That the Street Commissioner cause wood culvert across Tenth street on the southeasterly side of Massachusetts street, to be repaired.

That the Street Commissioner cause wood culvert across Tenth street, on the northwesterly side of Massachusetts street, be repaired.

That the Street Commissioner cause the wood culvert across Niagara street, between Austin and Farmer streets to be repaired. Referred to Committee on New Territory.

The Common Council then adjourned to meet next Monday afternoon, April 8th, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 14.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, April 8th, 1861,
at 2 o'clock, P. M.

Present.—Asaph S. Bemis Esq., President of the Council, and Aldermen Adams, Allen, Beckwith, Brush, Crowder, Dorr, Felton, Goembel, Grass, Hanovan, Howard, Howell, Jones, Palmer, Pratt, Russell, Rutter, Savage, Scheu, Schwartz, Storck, Wheeler and Yaw.

Absent—Aldermen Mills and Walsh.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM HIS HONOR THE MAYOR.

GENTLEMEN—A summons has been served on me to appear before Charles Gardner, Esq., on the 12th inst., to answer to the complaint of Francis G. Pattison. Also, a summons to appear before Charles Gardner, Esq. on the 11th inst., to answer to the complaint of George Hinson.

I return without approval a resolution adopted by your honorable body on the 18th ult., directing an order to be drawn in favor of the City Attorney, to pay expenses to Albany, &c., on the fund for 1860.

The objection to the resolution is that the expense for which the order was drawn was not created in 1860—the order should be drawn on the fund of 1861.

I also return without approval the resolution adopted March 23d, directing an order to be drawn in favor of John Butler, policeman. The objection to the resolution is, that he is not entitled to pay, and that in my opinion the Common Council have no authority to make donations of any kind. Mr. Butler was suspended by me during the time he asks for pay.

Very respectfully,
F. A. ALBERGER, Mayor.

Ald. Howard moved that said communication be received and placed on file, and that the City Attorney be directed to defend the suits commenced, and the subject matter of so much of said communication as relates to order for City Attorney, be referred to the Committee on Finance, and so much thereof as relates to order for John Butter, be referred to Committee on Police. Carried.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

COMPTROLLER'S OFFICE,
Buffalo, April 8, 1861.

To the Hon. the Common Council:

GENTLEMEN—On the 20th inst., there will be required $885, with which to pay interest upon $11,000, of the bonds issued Oct. 20th, 1852, on account of construction of City Ship Canal, and I would recommend that an order be drawn in my favor, on the fund for interest, on the funded debt estimates for 1861, with which to pay such interest.

I also report that the policies of insurance in the Buffalo Mutual Insurance Company upon the school property of District No. 24, and the Central School will expire on the 11th inst. The expense of renewal of said policies will be $56 25. It is recommended that orders be drawn in favor of A. A. Eustaphieve, Secretary, one for $18 75, upon local fund, School District No. 24, and one for $37 50, general fund, School Department, estimates for 1861, to pay for such renewals.

Respectfully,
ALONZO TANNER, Comptroller.

Filed, and orders directed to be drawn.

FROM THE STREET COMMISSIONER.

GENTLEMEN,—In compliance with your directions, the undersigned advertised for proposals to construct stone abutments for a bridge across Cazenovia creek, on Cazenovia road; also for constructing oak abutments for the same bridge; also for repairing the wood bridge superstructure at the same point; and have received the following, to wit:

From Abram S. Swartz, for constructing stone abutments, $843.

Do., for constructing oak abutments, $809.

Do., for repairing the bridge superstructure, $400.

The proposals are for furnishing materials and completing the entire works, severally named.

L. J. WATERS, Street Commissioner.

Referred to Committee on New Territory.

FURTHER FROM THE STREET COMMISSIONER.

GENTLEMEN,—On the 25th ultimo the undersigned reported the several amounts due the Clerks in this office for the quarter ending the 31st of March, with a recommendation that orders be drawn in their favor for the sum due each; and, no action having been taken on his communication, he again respectfully asks that orders be drawn for the several amounts, viz: G. Hyatt, $175, and Henry Waters, $66 66.

L. J. WATERS, Street Commissioner.

Whereupon, Ald. Palmer offered a resolution directing orders to be drawn.

Ald. Howard moved an amendment, that an order for $175 be drawn in favor of Mr. Hyatt, and that the subject matter of the balance of said communication be referred to the Committee on Streets. Carried.

FROM THE CITY SURVEYOR.

In compliance with your resolution adopted April 3d, 1861, I have made a survey of Vermont street, from Fourth street to Rogers street, and herewith submit a map showing the obstructions in the same as a six rod street, between the points above named.

PETER EMSLIE, City Surveyor.

Referred to Committee on New Territory.

FURTHER FROM THE CITY SURVEYOR.

In compliance with your order of April 3d, 1861, I herewith submit the following grade and profile of Ferry street, from Main street to Niagara street, as follows:

Commencing at the intersection of the centre line of Ferry street with the westerly line of Main street, at an elevation of 58.50 feet above the base line of levels; thence westerly, following the centre line of Ferry street, rising 0.257 feet per 100 feet for a distance of 584 feet; thence rising 2 88 feet per 100 feet for a distance of 366 feet; thence rising 6.32 feet per 100 feet for a distance of 289 feet to the easterly curb line of Delaware street, at an elevation of 83.80 feet above the base line of levels; thence level for a distance of 42 feet, to the westerly curb line of Delaware street; thence falling 0.93 feet per 100 feet for a distance of 1269 feet; thence falling 1.51 feet per 100 feet for a distance of 1000 feet; thence falling 0.20 feet per 100 feet for a distance of 4200 feet; thence falling 0.60 feet per 100 feet for a distance of 1550 feet to the easterly line of Niagara street, as the same is now paved, at an elevation of 89.20 feet above the base line of levels.

PETER EMSLIE, City Surveyor.

Referred to Committee on New Territory.

FROM THE SUPERINTENDENT OF SCHOOLS.

An error occurred in the order drawn on the School Fund, dated April 1, 1861, in favor of Delia Randolph, assistant teacher in public school No. 9. The order was drawn for $26 88, instead of $32 44, as it should have been.

I recommend that an order be drawn in my favor for $5 56, to adjust the above claim.

SANFORD B. HUNT,
Superintendent of Schools.

Filed, and order directed to be drawn.

The Fire Marshal reported proposals received for furnishing leather hose for the Fire Department.

Whereupon, Ald Yaw offered the following resolution.

That the communication of the Fire Marshal relating to hose, be referred to the Fire Committee, with power to direct contract to be given to that bidder whose bid they consider for the best interest of this city. Adopted.

The Chief of Police reported that he had, on the 2d inst, appointed Morris Alberger as clerk in his office, and asked that such appointment be confirmed. Filed, and nomination confirmed.

The City Clerk reported the following accounts as having been audited by the Board of Health, with a request that the same be presented to the Council, and provision be made for their payment:

John Elliott, services as Health Inspector for March—$46 50.

George S. Reinhardt, services as Health Inspector for March—$46 50. Filed and orders directed to be drawn.

Also, That at the same meeting of the Board of Health the following nuisances were reported, and referred by the said Board to the Common Council with request that the same be abated as hereinafter mentioned, viz.:

The cellars on the north side of Delaware Place, between Delaware and Virginia streets, are filled with water, and there is no way of draining the same except by building a sewer, in Delaware Place, which the Board of Health recommend to be done immediately. Referred to Committee on Sanitary Measures.

Also, that Wilkeson slip is reported to the Board as a nuisance—caused by the filling up with the filth from the sewer in Jackson street. The Board recommend that the sewer be extended, and the slip filled up, or else that it be immediately dredged out to the proper depth, to be used as a slip. The public demand its speedy abatement. Referred to Committee on Sanitary Measures.

The City Clerk reported that the following described assessment roll had remained on file in his office more than ten days since the first publication of a notice in the city paper that the same was so filed, and that D. N. Clark and others had filed an application for the correction of the same, viz:

No. 2392—For repairing Perry street, from Hamburgh street to a point 300 feet easterly therefrom—$31.

Time for consideration fixed for two weeks from to-day.

Assessment Roll No. 2367.—For constructing a brick sewer in Breckenridge street, from the easterly line of North Washington street westerly to the Erie Canal. Amount $2,505—the time for the consideration of which, and of the objections thereto, had been postponed until to-day, was taken up.

Whereupon, Ald. Howard, offered the following:

Resolved, That the consideration of the assessment roll No. 2367 be postponed for two weeks, and that the City Surveyor be directed to examine the culvert under Niagara street, between Breckenridge street and Auburn Avenue, and report whether, in his opinion, it is sufficient to drain the territory naturally draining into that ravine, and if not so sufficient, that he report to the Council his estimate of the expense necessary to make it sufficient for that purpose. Lost. Ayes, 4; Noes, 19.

Ald. Howell moved that the parties interested in said roll be now heard. Carried.

R. L. Burrows, Esq., addressed the Council in opposition to the confirmation of said Roll, and E. Thayer, Esq., addressed the Council in favor of the confirmation thereof.

Ald. Beckwith moved that said roll be confirmed. Carried.

The report of the Commissioners appointed by the Superior Court of Buffalo, to ascertain and report the just compensation to be paid to the person or persons owning or having an interest in the land and property necessary to lay out and extend Katherine street, fifty feet wide, from the southerly termination of said Katherine street as now laid out, to a point 551 feet south-easterly from the northerly line of lot No. 192. The time for the consideration of which had been postponed until to-day, was taken up.

Ald. Beckwith moved that said report be confirmed. Carried.

FROM THE HARBOR MASTER.

I respectfully call to your attention the fact that a sunken sand scow or canal boat now lies in the way of navigation, at the corner of the Marine dock and Skinner canal, said scow or boat supposed to belong to Myers & Walters. Its early removal is very necessary, as there is but five feet of water on said wreck.

LEVI VALLIER,
Harbor Master

Whereupon Ald. Allen offered the following:

Resolved, That the Harbor Master give notice to the owner or owners of the sunken sand scow now obstructing navigation, at the corner of the Marine Block and the C. and S. Canal, in Buffalo Creek, to remove the same forthwith, and if not done, that the Harbor Master cause the same to be done at an expense not exceeding $50, and report. Adopted.

PETITIONS.

Of Emily White, for a declaration of sale on lot on northeast side of Erie Canal, 146 feet southeast of Carolina street, 25 feet front by 100 feet deep.

Of B. A. Manchester, to have local orders paid.

Of T. Pinner, for permission to withdraw petition for declaration of sale on tax certificate No. 1241. Referred to Committee on Finance.

Of D. P. Rumsey and others, to have Delaware street gravelled from Virginia to Utica street. Referred to Committee on Streets.

Of Jas. W. Bixby and others, to have a sidewalk constructed on west side of Palmer street, from Maryland to Hudson streets.

Of sundry persons, to have sidewalk constructed on north side of Sycamore street, between Jefferson and Adams streets.

Of D. M. Cheney and others, to have a sidewalk constructed on northerly side of Carroll street, between Red Jacket and Jefferson streets. Referred to Committee on Side and Cross Walks.

Of P. and J. Staats, for permission to move 1½ story wood building from east side of Niagara street to the west side of Staats street, near their manufactory.

Of R. P. Gardner, to be appointed Assistant Engineer Fire Department. Referred to Committee on Fire.

Of Wm. H. Peabody, for the removal of a lamp post. Referred to Committee on Public Lamps.

Of Wm. Scheffer, for permission to change place of business and transfer license to same. Referred to Committee on License.

Of James F. Rowley, for a fireman's certificate.

Of Alphonzo Courter, for a fireman's certificate. Referred to Fire Commissioners with power.

REMONSTRANCES.

Of A. J. Rich and others, against permission being granted to move a wooden building to the east side of Ellicott street between Chippewa and Tupper streets. Referred to Committee on Fire.

ACCOUNTS REFERRED.

Felthousen & Russell, for labor and material for Schools.

Valentine Bibus, for sawing wood for Schools.

E. Hulburt, for wood for Schools. Referred to Committee on Schools.

John Erb, for clean'ng streets in January and February, 1861.

W. I. Williams, for repairing wall of old Mohawk Street Arsenal. Referred to Committee on Streets.

John Wannop, (4 accounts,) for repairing sundry sewers.

O. Butler, Jr., for repairing sewer and receiver in Johnson place, southwest corner of Female Seminary. Referred to Committee on Sewers.

Jacob Bangasser, for repairs for Fire Department.

M. Gardner, (2 accounts,) for straw, &c., for Fire Department.

Charles Crawford, for use of team for Fire Department.

Pratt & Husted, (2 accounts,) for sundries for Fire Department. Referred to Committee on Fire.

W. I. Williams, for constructing cover to reservoir on Clinton street, near Union street.

Same, for same on Michigan street, near Eagle street. Referred to Committee on Water.

Lemuel H. Fiersheim, for sundries for Schools and Assessors' office.

Webster & Co., for sundries for City Buildings.

Farnham & Hodge, for coal for City offices. Referred to Committee on Claims.

Jacob Emerick, for commitments to Penitentiary.

D. S. Reynolds, for commitments to Penitentiary. Referred to Committee on Police.

Charles Jermain, for services as Porter of Elk Street market in January. Referred to Committee on Markets.

W. I. Williams, for repairing wood culvert across High street on westerly side of Jefferson street.—Referred to Committee on New Territory.

REPORTS OF COMMITTEES.

Ald. Howard, from the Committee on Finance, reported in favor of the adoption of the following resolutions:

That upon the filing of the petition of T. Pinner, together with the proofs accompanying same, with the Comptroller, in which said Pinner asks for a declaration of sale on certificate of tax sale No. 2588, of the sale of May 27th, 1857, of lot on north side of Tupper street, part of outer lot No. 33, being 682 feet west of Delaware street, being 50 feet front by 100 feet deep, the said Comptroller execute and deliver to said Pinner a declaration of sale thereon, in the form prescribed by the City Charter. Adopted.

That upon filing the petition of T. Pinner, with the accompanying proofs with the Comptroller, in which said Pinner asks for declaration of sale upon tax certificates as follows:

No. 1193 of sale of December 4, 1856, of lot on west side of Madision street, lying 272½ feet north of Batavia street, being 32½ feet front by 109 feet deep.

No. 1255, sale of January 28, 1857, of same lot.

No. 1572, sale of May 27, 1857, of same lot—the said Comptroller execute and deliver to said Pinner, a declaration of sale upon each of the aforesaid certificates, in the form prescribed by the Charter. Adopted.

That upon filing the petition of Emily White, with the accompanying proofs with the Comptroller, in which said White asks for a declaration of sale, on Certificate No. 3 324, sale of June 23d, 1858, of lot on northwest side of Jersey street, 34 feet southwest of Eleventh street, being 104½ feet front, by 131 feet deep, the said Comptroller execute and deliver to said White a declaration of sale thereon, in the form prescribed by the Charter. Adopted.

That upon filing the petition of T. Pinner, with the accompanying proofs with the Comptroller, in which said Pinner asks for a declaration of sale upon tax certificate, No. 1581, sale of May 27, 1857, of lot on east side of Monroe street, 277 feet south of Sycamore street, being 25 feet front, by 109 feet deep, and also upon certificate No. 2050, sale of June 23d, 1858, of same lot, the said Comptroller execute and deliver to said Pinner a declaration of sale upon each of the aforesaid certificates, in the form prescribed by the Charter. Adopted.

That upon filing the petition of E. L. Valentine with the accompanying proofs with the Comptroller, in which said Valentine asks for a declaration of sale on certificate of sale No. 1121 of the sale of May 27, 1857, of lot on the west side of Mortimer street, part of outer lot No. 112, lying 287 feet north of William street, being 45 feet front by 115 feet deep, the said Comptroller execute and deliver to said Valentine a declaration of sale thereon, in the form prescribed by the city charter.

That upon filing the petition of T. Pinner, with the accompanying proofs, with the Comptroller, in which said Pinner asks for a declaration of sale upon tax certificate No. 1192, of the sale of December 4, 1856, of lot on west side of Madison street, part of farm lot No. 22, (sub-division 76,) lying 240 feet north of Batavia street, being 32½ feet front by 109 feet deep; also, upon tax certificate No. 1256, sale of January 23, 1857, of same lot; also, upon tax certificate No. 1573, sale of May 27, 1857, of same lot,—the said Comptroller execute and deliver to said Pinner a declaration of sale upon each of the aforesaid certificates in the form prescribed by the charter. Adopted.

That when the owner or owners of lot 124 and part of ot 125, fronting on Delavan Avenue, desire to pay the assessment thereon imposed, for defraying the expense of laying out and opening Delavan Avenue, the Comptroller be and he is hereby authorized and directed to remit and deduct therefrom the sum of $100 and interest thereon, after the same rate which said assessment shall be subject to, and receive the balance of such assessment in full thereof. Adopted.

That the Comptroller and Chairman of the Finance Committee be and they are hereby authorized to settle with Charles S. Pierce, Esq., late Comptroller, for moneys belonging to the city in his hands unaccounted for, and to demand of him the payment of such amounts, and report to this Council the amounts and all facts relating to the same, at their earliest convenience. Adopted.

Also, reported the following chapters of city ordinances as revised by said Committee:

CHAPTER XXI.

OF FINANCE.

§ 1. All moneys belonging to the city shall be paid to the Treasurer thereof, who shall give duplicate receipts therefor, one of which receipts shall be immediately filed with the Comptroller, as evidence of such payment.

§ 2. All moneys belonging to the city shall be drawn from the treasury upon a warrant or order of the Common Council regularly made, signed by the Mayor and Clerk, and countersigned by the Comptroller. Such warrant shall specify the purpose for which it is drawn and the particular fund out of which it is payable. All orders or warrants drawn upon local funds shall be made payable out of the fund when collected or the money actually realized by the city.

§ 3. No order or warrant shall be drawn upon any local fund nor any contract made for any local work, until the assessment therefor shall have been confirmed by the Common Council; nor shall any order drawn upon the treasury, payable out of any local fund, be received on account of any other fund, unless the fund upon which such order shall be drawn is good on the books of the Treasurer.

§ 4. No officer or employee of the city shall be authorized to contract any debt or incur any expenditure except by order or resolution of the Common Council. And every contract or agreement made or entered into by or on behalf of the city shall be in writing and in duplicate, and for a sum certain for the performance of the entire work; one copy of such contract to be immediately filed with the city Comptroller.

§ 5. It shall be the duty of the several heads of the departments to furnish the Common Council monthly estimates in advance, and in detail of all sums which will be required for the current expenses other than the fixed salaries in their respective departments, and no expenditure not so estimated and authorized by the Common Council, shall become a liability against the city, and any head of department who shall make any expenditure not so previously estimated for, and authorized by the Council shall be held responsible to the city, to pay for the same.

§ 6. It shall be the duty of the heads of the several departments, as often as once in three months and at the end of each quarter, to cause to be presented to the Common Council for audit, all amounts contracted for or on account of said departments, said accounts to be verified by the proper affidavit of the persons rendering the service or delivering the property to the city. And also certified by the officer or other person authorized by the Common Council to incur the expenditure for which such account is made, and no unliquidated account or claim shall be received for audit unless the same is made out in items in detail, according to Section 1 of Title 5 of the City Charter, and so verified and certified.

§ 7. Before delivering the orders drawn upon the Treasurer, for any account or claim audited by the Common Council, it shall be the duty of the Comptroller to examine the accounts or other vouchers and see that they are made to conform to the requirements of the City Charter and correct all errors or report the same to the Common Council, and upon the delivery of every order upon the Treasurer to any person, the Comptroller shall take a receipt therefor, in a book kept by him for that purpose.

§ 8. It shall be the duty of every officer, employee or other person, who is in receipt of any moneys for or on account of the city, to pay over to the City Treasurer every week all moneys then in his hands belonging to or which may be required by law to be paid to said city.

§ 9. If it shall appear from the books in his office, that any officer or employee of the city, or other person has neglected to report or pay over money or deliver property as required by the Charter or any order of the Common Council or otherwise, it shall be the duty of the Comptroller to notify such officer, employee, or other

person of such default, and in case such notice is disregarded, to report the same to the Common Council without delay.

§ 10. The fiscal year shall begin on the first day of January, and end on the last day of December, in each year; and the annual statement of the Comptroller, required by section 32, title 5, of the revised Charter, shall contain a statement of the receipts and expenditures for the preceding fiscal year, and of the condition of every fund, local and general, on the last day of said fiscal year.

§ 11. No declaration of sale shall be issued upon the sale of any land sold for taxes or assessments, until the party applying for such declaration of sale shall present to the Council the certificate of the Clerk of Erie County, containing a deduction to the title to such premises from the Holland Land Company, or from the State of New York, and also proof by affidavit, showing the residence, if known, of the owner and mortgagees of such property, and the service of the notices to redeem, as required by the charter, which certificate and proof shall be filed in the comptroller's office.

§ 12. All moneys paid to the city for the redemption of land sold for non-payment of taxes or assessments, to persons other than the city, shall be paid to the treasurer, who shall keep an accurate account of the same, as a trust fund, and pay them out on the warrant of the Comptroller; but such warrant shall only be drawn upon the return to the Comptroller of the certificate of sale.

§ 13. All moneys due to the city on taxes returned to the Comptroller's office, or for redemption of lands from tax sales, or on bond and mortgage or other security deposited with the Comptroller, shall be paid to the city Treasurer upon a bill thereof made by the Comptroller, and upon which the Treasurer shall endorse a receipt for the money paid, which shall be returned to the Comptroller's office, and the proper entry thereof made, and such bill countersigned by him.

§ 14. It shall be the duty of the Comptroller, City Attorney and every other city officer, in whose favor the Common Council shall at any time direct to be drawn any order or warrant on the Treasurer for the purpose of paying any debt or liability of the city or otherwise disbursing for the city, immediately after making the payment or disbursement contemplated to report to the Council a detailed statement or account of the disposition of such order or funds, and to pay to the city Treasurer any balance in hand to the credit of the proper fund.

CHAPTER XXIII.

AN ORDINANCE IN RELATION TO CITY AUDITOR AND TO LIMIT AND DEFINE HIS DUTIES.

ARTICLE I.

§ 1. It shall be the duty of the Auditor to examine all bills or claims presented against the city, before payment thereof. but no bill or claim shall be audited or paid unless the same be first presented to the Common Council, and by it referred to the Committee of the Council, to to whose department such bill or claim may belong; and when so referred, it shall be the duty of the Auditor to act with the said Committee, and his certificate of allowance or rejection shall accompany the report of the Committee to the Common Council. The Council may specially refer such claims and accounts as it shall deem proper, to the City Clerk, Comptroller and Auditor, as a special Auditing Board.

§ 2. He shall enter all bills or claims sent to him, in appropriate books, in the order presented; such entries showing the dates and items of each claim, when and by whom rendered, the amount claimed, and the amount allowed, and the account to which it shall be chargeable, and when disallowed, in whole or in part, his reasons therefor.

§ 3. He shall examine all bills or claims, and the items of each; and shall deliver the same with his certificate of allowance, or if disallowed in whole or in part, a statement of the grounds of such disallowance, to the Committee having the same in charge. He may send all bills wanting the necessary certificate of the heads of departments, or affidavit, to the proper department for correction, before acting thereon.

§ 4. He shall certify no bill or claim payable out of the general fund, unless the expenditure shall have been authorized by a resolution of the Common Council, or by ordinance; nor in any case authorized by ordinance, without the certificate of the heads of the department directed by such ordinance to make such expenditure, and such other vouchers as such ordinance may prescribe; nor in any case when the amount, if allowed, would create a deficiency in the appropriation for that department; nor shall he certify any account payable out of the general or any local fund, unless the same be so "made out as to specify, if for services, the nature of the services, the time when, and place where, by whom, and under whose direction rendered, if for merchandize or other articles, the items, date of sale, or delivery, where and to whom delivered, and by whom purchased; and if for labor performed, or articles furnished, upon special contract, specify in addition the names of parties to, and date of contract," and verified in the manner required by section 1 of title 5 of the city Charter.

§ 5. He shall certify no bill or claim payable out of any local fund, unless the assessment therefor shall have been made and confirmed; nor unless the street commissioner—in all cases where work is required to be done under his supervision—shall certify that the claimant has fully and faithfully performed his contract, or furnished the materials, and is justly entitled to the amount.

§ 6. He shall certify no bill or claim for repairs of any nature whatsoever, nor for materials furnished or services rendered any department of the city government, unless such repairs, materials or services shall have been first ordered by the Common Council, or are authorized by ordinance.

§ 7. Nothing in the last three sections contained shall authorize the auditor to certify the allowance of any bill or claim not incurred under due authority of law, for work or services which shall not have been rendered, or for materials or supplies which shall not have been furnished, or to certify the allowance of any charges which shall not be just and reasonable, or according to contract; but he shall reject all such bills, claims, or charges, any resolution or ordinance of the Common Council or certificates to the contrary notwithstanding.

§ 8. He shall have power to require from the different city officers, all the information which they may possess, and exhibit to him all books, contracts, resolutions and

other papers and documents in their respective departments, or in their possession, requisite in his opinion, to discharge his duties; and it is hereby made the duty of all the city officers to furnish and exhibit the same, when so required by him.

§ 9. It shall be the duty of the auditor to act with the City Clerk and Comptroller in the examination and auditing of such accounts or claims, as the Council may from time to time specially refer to them as a special board of auditors.

Referred to the Committee of the Whole, and ordered printed.

Ald. Felton was called to the Chair.

Ald. Palmer, from the Committe on Streets, reported the following chapters of city ordinances, as revised by said Committee:

CHAPTER IX.

OF STREETS, SIDEWALKS, SEWERS, ETC.

§ 1. No person shall place, or cause to be placed, any stones, timber, lumber, plank, boards, or other materials for building, in or upon any street, lane, or public square, without a written permission from the Street Commissioner, under the penalty of two dollars for each and every twenty-four hours during which the articles or materials aforesaid shall be or remain in such street, alley or public square, without permission as aforesaid, after notice to remove the same.

§ 2. The Street Commissioner is authorized to grant any person permission in writing, to place and keep any building materials in any of the public streets, for a period of time not exceeding four months; but such permission shall not authorize the obstruction of more than one third of the sidewalk and one half of the carriage-way of said street, opposite the lot on which an erection is to be made by the person to whom such permission is granted; and such permission may be revoked at any time by the Common Council in their discretion.

§ 3. Every person to whom permission is granted as aforesaid, shall cause all the timber, building materials, and rubbish arising therefrom, to be removed from the street at the expiration of the time limited in such permission as aforesaid, under the penalty of three dollars for every forty eight hours the timber, materials, or rubbish aforesaid, shall be and remain in such street, after the expiration of the time limited in the permission granted as aforesaid; but no single recovery shall exceed the sum of twenty-six dollars.

§ 4. No person shall suffer any carriage, wagon, cart, sleigh or sled, without horses or other beasts of burden, to remain or stand in any street, lane, alley or public wharf or dock, for more than ten minutes, under the penalty of one dollar for each offence.

§ 5. No person shall at any time fasten any horse in such way that the reins or lines shall be an obstacle to the free use of any sidewalk, under the penalty of one dollar for each and every offence; nor shall any person fasten any horse to any ornamental or shade tree, in any of the streets of this city, or to any box or case around such tree, without the consent of the owner of such tree, under the penalty of five dollars for each and every offence.

§ 6. No person shall ride or drive any horse or horses in any street, lane or highway in this city, faster than a moderate trot, under the penalty of five dollars for each and every offence

§ 7. No person shall place or deposit (except as provided by the 1st, 2d, 8th and 9th sections of this chapter) on any sidewalk, or in any street, any cask, box, crate, wood, stone, plank, boards, goods, wares, merchandise, or other substances or materials, under the penalty of two dollars for each and every offence; and the person placing or depositing the same, and the owner or occupant of the premises in front of which the same shall be, shall forfeit the further penalty of two dollars for each and every two hours the same shall remain, after they shall have been notified by the Mayor, an Alderman, Street Commissioner, or Police Officer, to remove the same.

§ 8. It shall be lawful for any person to place or set out for sale any goods, wares and merchandise, on the sidewalk, in front of, and within three feet of his store or building.

§ 9. It shall be lawful for any person to place and leave, for a period not exceeding one hour, on four feet of the outer edge of the sidewalk in front of his store or building, any goods, wares or merchandise, which he shall be in the act of receiving or delivering; and in case of any suit or prosecution for a violation of the seventh section of this chapter, it shall be the duty of the defendant, to entitle him to the benefit of this section, to show by proof that his case is within the provisions thereof.

§ 10. No person shall push, lead, ride, draw, back or drive any horse, cart, wagon, sleigh, wheelbarrow, fire engine, hose cart, or other vehicle, over or upon any sidewalk, unless it be in crossing the same to go into a yard or lot, under the penalty of ten dollars for each and every offence.

§ 11. No owner or occupant of any store or other building shall fix, put up, hang or erect, or suffer to remain fixed, put up, hung or erected, any sign, show bill, show case or other thing, projecting into or hanging over the street or sidewalk more than three feet in front of, and from the wall of any such store or building, nor within eight feet of any portion of the sidewalk, under the penalty of five dollars for each and every offence; and under a further penalty of five dollars for every twenty-four hours such sign, show bill, show case or other thing shall remain, contrary to the foregoing provisions of this section, and after notice shall have been given to remove the same, by the Mayor, an alderman, the street commissioner, or a police officer.

§ 12. No person shall construct, continue, or suffer to remain, any bow window, or other window, which shall extend into any street more than fourteen inches; nor shall any person construct, continue or suffer to remain, any porch, stoops, steps, railing, cellar door or platform, in any street in this city, which shall extend into more than one fourth the width of the sidewalk, and which shall in any case occupy or extend into more than three feet of such sidewalk, under the penalty of five dollars for each and every offence; and every owner or occupant of any building to which such window, porch, stoop, steps, railing, cellar door or platform shall appertain or belong, shall forfeit the penalty of five dollars for every twenty-four hours the same shall remain contrary to the provisions of this section, after notice to remove the same shall have been given by the Mayor, an Alderman, the Street Commissioner, or a Police Officer.

§ 13. No person shall erect any awnings, in front of any building in any street within the lamp district, unless the

lowest portion of the same shall be at least eight feet elevation from the sidewalk at the outer edge of said awning, and at any part thereof, and nine feet high at the inner edge, or next to such building, and shall be supported by an iron frame work attached to the buildings in front of which such awnings shall be erected; and every part of such frame work shall be at least eight feet in height from the sidewalk, and shall not, on Main street, extend more than ten feet from the buildings, and on any other street, and within said lamp district, not more than one half the width of the sidewalk from such buildings; and no post for the support of any such awning shall be put up in or upon any sidewalk within said lamp district; and the owners of any store or building within said lamp district, in front of which any such awning posts are now standing, are hereby ordered to remove the same within thirty days. And every occupant or owner of any building within said lamp district, in front of which any awning or awning post shall be put up or erected contrary to the provisions of this section, shall be liable to a penalty of two dollars, and the further penalty of two dollars for every twenty four hours he shall suffer the same to remain, after notice to remove the same, from the Mayor, an Alderman, the Street Commissioner, or from any person authorized by the Common Council to give such notice. Nothing herein contained shall prevent the erection of one, and not to exceed two posts, in front of each building, for the purpose of hitching horses, provided the owner or occupant of such building may desire to have the same. Every such post so erected shall, if of wood, be turned round, of not more than six inches in diameter, and not to exceed four feet in height, and placed on a line with the inside of the curb stone.

§ 14. All ornamental or shade trees, or posts, hereafter placed or set out in any street, shall be placed or set out within the outer line of the sidewalk, and within one foot of said outer line of the sidewalk of such street, and every person placing, or causing or procuring to be placed, any tree or post, contrary to the provisions of this section, shall forfeit the penalty of five dollars for each and every offence, and the further penalty of one dollar for each week such tree or post shall be suffered to remain contrary to the provisions of this section.

§ 15. Any person who shall injure or tear up any pavement, side or crosswalk, drain or sewer, or any part thereof, or who shall dig any hole, ditch or drain in any street, pavement or sidewalk, without written permission from the Street Commissioner, or who shall hinder or obstruct the making or repairing any pavement, side or crosswalk, which is or may be making under any law or resolution of the Common Council, or who shall hinder or obstruct any person employed by the Common Council, or the Street Commissioner, or the person employed by him, in making or repairing any public improvement, or work ordered by the Common Council shall, for each and every offence, forfeit the sum of ten dollars.

§ 16. No person shall cast or throw, or cause to be cast or thrown, into any of the drains or sewers within the city, any straw, shavings, wood, stone, shells, rubbish, or any filthy or other substance, or cause any obstructions, nuisances, or injury in or to the same, under a penalty of ten dollars for each and every offence.

§ 17. No person shall, without the written permission of the Street Commissioner, construct, or cause to be constructed or made, any sewer, vault, cistern or well, in any of the streets of this city, under the penalty of twenty-five dollars for each and every offence.

§ 18. The person making, or having charge of such sewer, vault, cistern or well, shall, during the whole of every night, while such vault, cistern or well shall be opened or uncovered, fence in the same, and cause a lighted lamp or lantern to be placed and kept so as to cast its light upon such vault, cistern or well; and every such owner, occupant, or person making or having in charge such work, who shall neglect the provisions of this section, shall forfeit the penalty of twenty-five dollars for each and every offence.

§ 19. No person shall construct, or cause to be constructed or made, any drain or sewer leading into any of the common sewers of the city of Buffalo, without the written permission of the Street Commissioner, under the penalty of ten dollars for each and every offence.

§ 20. All drains or sewers leading to any of the common sewers in the city of Buffalo, shall be made or constructed of brick or stone, with a copper grate or strainer across the inlet of such drain, and at its junction with the common or main sewer, and shall, in all cases, be made with a stench trap not more than 100 and not less than 10 feet from the main or street sewer, and shall be made in such other manner as the Street Commissioner may direct, under the penalty of ten dollars for each and every offence; and the owner, occupant, or agent of any premises from which such drain shall have been constructed, contrary to these provisions, shall forfeit and pay the furthur penalty of five dollars for each day during which such drain or sewer shall remain, after notice from the Street Commissioner to remove or alter the same; but no recovery shall exceed twenty-six dollars.

§ 21. All vaults under sidewalks in this city, shall be constructed of brick or stone, and the outward side of the grating or opening into the street shall be within one foot of the outside of the curb stone of the sidewalk, and shall not exceed eighteen inches in length and eighteen inches in breadth—and the said opening or grating shall, in every instance, be constructed under the direction of the Street Commissioner. All such vaults shall be completed and the ground and sidwalk replaced over them within two weeks after they are respectively commenced, and every person violating any of the provisions of this section, whether the owner or builder of such vault, shall forfeit the penalty of twenty-five dollars; and every owner or occupant of any such vault with an opening or grating therein larger than by this section is prescribed, who shall continue the same after the passage of this ordinance, shall forfeit the sum of ten dollars for each and every day he shall so continue the same.

§ 22. Whenever permission is given to any person or persons to lay, build, or construct any vault, drain, sewer, cistern, will, aqueduct, gas or water pipe, along or in any public street or alley, or dig or take up any street, sidewalk or pavement, he or they shall cause the same to be done in such a manner, within such time, and in such place as the Street Commissioner shall direct, and shall cause the same to be refilled, rebuilt, and relaid in a substantial and permanent manner; and any pavement

so taken up, to be relaid with at least eighteen inches of clear lake sand or fine gravel, next to and underneath, the paving stone, and shall thereafter keep said street, sidewalk or pavement, in good repair from the effects of such digging or taking up, and any person or persons refusing or neglecting to comply with the provisions of this section, shall forfeit and pay a penalty of twenty-five dollars for each and every offence.

§ 23. Every owner or occupant of any lot or ground or person having charge of the same, fronting on any street or alley which is or shall be paved, shall before nine o'clock, in the forenoon of the days hereinafter mentioned, between the 15th day of March and the first day of December, cause the sidewalk, gutter and street in front of any such lot, to be thoroughly cleaned to the centre of the street or alley, and the dirt and manure to be collected into heaps convenient to be carted away; and previous to its being so cleaned, the same shall be sufficiently sprinkled with water, so as to prevent the dust from rising; and where any lots is situated on the corner formed by the intersection of two streets, such owner or occapant shall sweep to the centre of each street, under the penalty of five dollars for each and every neglect or offence; and the city shall be divided into seven districts, as follows: each district to be cleaned on the day hereinafter mentioned.

The First District to be cleaned on *Tuesday* of each week, shall include all paved streets and alleys in the following described territory: Commencing at the intersection of the northerly line of the Big Buffalo Creek with the east line of Main street; and running thence along the east line of Main street to the northerly line of Seneca street; thence along the northerly line of Seneca street to the east line of Chicago street; thence along the east line of Chicago street to the easterly line of the Big Buffalo Creek; thence along the easterly and northeasterly line of the Big Buffalo Creek, to the place of beginning.

Second District to be cleaned on *Wednesday* of each week, shall include all the paved streets and alleys in the following described territory: Commencing at the intersection of the northeasterly line of the Big Buffalo Creek with the east line of Main street; thence along the east line of Main street to the north line of Seneca street; thence along the north line of Seneca street to the northerly line of Erie street; thence along the northerly line of Erie street continued until it would intersect the northerly line of the Big Buffalo Creek or harbor; thence along the northerly line of said Creek or Harbor to the place of beginning.

Third District to be cleaned on *Thursday* in each week, shall include all the paved streets and alleys in the following described territory: Commencing at the intersection of the east line of Main street with the north line of Seneca street; thence along the north line of Seneca street to the east line of Chicago street; thence along the east line of Chicago street to the south line of Swan street; thence along the south line of Swan street to the east line of Pine street; thence along the east line of Pine street to the northerly line of Batavia street; thence along the northerly line of Batavia street to the northerly line of Lafayette street; thence along the northerly line of Lafayette street to the east line of Main street; thence along the east line of Main street to the place of beginning.

Fourth District to be cleaned on *Friday* in each week, shall include all the paved streets and alleys in the following described territory: Commencing at the intersection of the east line of Main street with the north line of Seneca street; thence along the east line of Main street to the south line of Court street; thence along the south line of Court street to the northeasterly line of the Erie Canal; thence along the northeasterly line of the Erie Canal to the northerly line of Genesee street; thence along the northerly line of Genesee street to the Erie Basin; thence along the line of the Erie Basin to a point where the northerly line of Erie street continued would intersect said line; thence along said continued northerly line of Erie street to Erie street; thence along the northerly line of Erie street to the north line of Seneca street; thence along the north line of Seneca street to the place of beginning.

Fifth District to be cleaned on *Saturday* in each week, shall include all the paved streets and alleys in the following described territory: Commencing at the intersection of the northerly line of Batavia street with the east line of Ellicott street; thence along the east line of Ellicott street to the northerly line of Chippewa street; thence along the northerly line of Chippewa street to the northwest line of Georgia street; thence along the northwest line of Georgia street to the south line of Court street; thence along the south line of Court street to the east line of Main street; thence along the east line of Main street to the northerly line of Lafayette street; thence along the northerly line of Lafayette street to the northerly line of Batavia street; thence along the northerly line of Batavia street to the place of beginning.

Sixth District to be cleaned on the *first* and *third Monday* in each month, shall include all the paved streets and alleys lying east of Pine and Chicago streets, and south of the northerly line of avia street.

Seventh District to be cleaned on the *second* and *fourth* Monday of each month, shall include all the paved streets and alleys not included in the foregoing described districts.

And every owner or occupant of any lot fronting on any unpaved street, shall, on the first Thursday in May, June, July, August, September and October in each year cause the sidewalk, gutters and street in front of any such lot, to be thoroughly cleaned to the centre of the street, and the rubbish and manure to be collected into heaps convenient to be carried away, under the penalty of five dollars for each and every neglect or offence; and it shall be the duty of the Street Commissioner to cause such dirt, rubbish and manure, to be carried away within eight hours after the same shall be collected into heaps as aforesaid.

§ 24. All persons shall, by ten o'clock every morning, remove all snow, ice, and dirt from the sidewalks in front of the premises owned or occupied by them, under the penalty of five dollars for each and every neglect.

§ 25. Every owner, occupant, or other person having charge of any premises in this city, shall forfeit the penalty of five dollars for every twenty-four hours he shall neglect to remove the snow, ice and dirt, from the sidewalks and gutters in front of such premises, after notice from the Mayor, an Alderman, or Street Commissioner, to remove the same.

§ 26. No person shall remove, or cause or permit to be removed, or shall aid or assist in removing any building into, along, or across any street in the city of Buffalo, without permission from the Common Council, under penalty of twenty dollars for each offence.

§ 27. No person, owner of any building permitted to be removed into, along or across any street, alley or public ground, nor the contractor for removing any building into, along or across any street, alley or public ground in the city of Buffalo, shall suffer or permit such building to remain in any such street, alley, or public ground, for a longer time than one day, after notice from the Street Commissioner to remove the same, under the penalty of twenty-six dollars for each and every offence, to be sued for and recovered from the owner and contractor thereof, severally and respectively.

§ 28. All crosswalks within the city are to be kept and reserved free from any sleighs, wagons, carts or carriages being placed thereon, except so far as may be necessary in crossing the same, without continuing thereon any longer, and the owner or driver of any sleigh, wagon, cart or other carriage, offending herein, shall forfeit the penalty of two dollars for each and every offence.

§ 29. The sidewalks in this city shall be of the following width, that is to say: in all streets eighty feet or upwards in width, twenty feet; in all streets over fifty-five and under eighty feet in width, twelve feet; in all streets over thirty-five and not exceeding fifty-five feet in width, ten feet; in all streets thirty-five feet or less in width, one-fourth of the width of such street; and no sidewalk hereafter constructed shall have a greater slope or pitch towards the street than one-half of an inch to a foot.

§ 30. It shall be the duty of the Street Commissioner, strictly to enforce all the provisions of this chapter, and all the ordinances relating to streets.

§ 31. It shall not be lawful for any owner or driver of any carriage, cart, sleigh, or sled, to stand or remain with, or suffer the same to stand or remain in any street, sidewalk, lane, alley, wharf or dock, within the city, so as to encumber the same, or prevent the free passage thereof, under the penalty of two dollars for each offence; nor shall any carriage, cart, sleigh or sled, be suffered to stand or remain stationary, in any street, lane, alley, wharf or dock within this city, for a longer period than ten minutes, unless actually engaged in receiving or discharging passengers or property therefrom, under the penalty of two dollars for each offence. All wagons or other vehicles loaded with wood for sale from the same, on arriving or being within the bounds of the city, as they existed previous to January, 1854, shall drive directly to one of the wood stands, designated and set apart for that purpose, and any person who shall sell or offer for sale any wood from any wagon or other vehicle in any street, alley, lane or public ground, within the aforesaid limits, except at the stand so designated and set apart, shall forfeit and pay the sum of two dollars for each and every offence.

§ 32. No person shall leave any horse or horses, (except as provided in the next section,) in any street, lane or alley, or other highway within this city, without being sufficiently secured by a halter, under the penalty of two dollars for each offence.

§ 33. Every truckman or cartman who drives a truck or cart within this city, shall have a strong chain attached to the body of his truck or cart, which shall be made fast to one of the wheels, whenever the horse shall be left alone in any street, lane or alley.

§ 34. No person shall remove, or cause to be removed, any earth, gravel, sand, or any other part of the highway, from any street, lane, alley, or road within the bounds of the city, under the penalty of ten dollars, without the written permission of the street commissioner.

CHAPTER X.

OF RAIL ROADS.

§ 1. It shall not be lawful for any person or persons, by means of any steam power, to move, propel or drive, or cause to be moved, propelled or driven, any railroad car or locomotive, within the bounds of this city, without first obtaining permission from the common council so to do, under a penalty of fifty dollars for each and every offence.

§ 2. It shall not be lawful for any railroad company to move, propel, or drive any railroad car or locomotive engine, by means of steam or other motive power, on any portion of the railroad of the said company laid within the limits of the first, second, third and eighth ward of the city of Buffalo, nor in that portion of the fifth ward lying westerly of the easterly bounds of East street, as shown upon Williams' map of the city of Buffalo, nor in that portion of the thirteenth ward lying westerly of the easterly bounds of Smith street, at a rate of speed exeeeding six miles per hour, under the penalty of one hundred and fifty dollars for each and every offence.

§ 3 It shall not be lawful for any person to obstruct the free passage of any street, by means of any railroad car or locomotive, (except when the same shall be running,) under the penalty of fifty dollars for each and every offence.

Referred to the Committee of the Whole and ordered printed.

Ald. Palmer reported in favor of the adoption of the following resolutions:

That the Street Commissioner be and he is hereby directed to advertise for five days in the city paper for the use and occupation of suitable lots whereon to erect one or more city pounds. Also, to procure the services of suitable persons to keep said pounds, and report at the next meeting of this Council. Adopted.

That the grade of Rock street, from Genesee street to Hospital street, be and the same is hereby established as follows, to wit: Commencing at the intersection of the northwesterly line of Genesee street with the centre line of Rock street at an elevation of 8 62-100 feet above the base line of levels; thence northwesterly along said centre line of Rock street, rising 0.75-100 feet per 100 feet for a distance of 200 feet, at an elevation of 10 12-100 feet above the said base line of levels, and thence continuing along said centre line rising 0.32 feet per 100 feet for a distance of 529½ feet to its intersection with the southeasterly line of Hospital street, at an elevation of 11.80 above the base line of levels. Adopted—Ayes, 19; Noes, 0.

That the Common Council of the city of Buffalo intend to order Peach street opened and made from Cherry street to High street, and that the City Clerk cause the necessary notice of such intention to be duly published in the city paper. Adopted.

That the City Assessors be directed to assess $7 07 for constructing a wood culvert across William street, near the water course between the New York Central Railroad and the Williamsville road. Adopted.

That it is hereby ordered and determined by the Common Council of the city of Buffalo, that Buffalo Creek be widened, straightened and enlarged at the toll bridge on Ohio street, in accordance with a plan and survey of said proposed improvement, on file in the City Surveyor's office, by excavating a channel fifty feet in width with 12 feet depth of water, and protecting the same on the northerly side thereof with crib work, which said channel is bounded and described as follows:

Commencing at a point in a line drawn at right angles to Ohio street, through a point 83 feet north of south face of the present north toll bridge abutment, and distant in said line 321 feet from the center of Ohio street as paved; thence west in said line 158 feet; thence southwesterly 181 feet to a point 27 feet south of said 83 feet line; thence west and parallel with said 83 feet line 52 feet; thence northwesterly 98 feet to said 83 feet line; thence west in said line 157 feet; thence south at right angles to the last course 77 feet; thence east at right angles with Ohio street, 588 feet; thence north at right angles with the last course 77 feet to the place of beginning.

Ald. Bemis offered the following as a substitute for the foregoing resolution reported by Ald. Palmer:

Whereas, In pursuance of the provisions of an act of the Legislature of the State of New York, passed April 7th, 1848, in relation to the Buffalo and Hamburgh Turnpike Company's bridge over Big Buffalo Creek, in words following, to wit:

CHAPTER 198.

SEC. 1. "The Common Council of the City of Buffalo are hereby authorised, on giving fifteen months notice to the Buffalo and Hamburg Turnpike Company, to order the construction of a draw in their toll bridge over Big Buffalo Creek, or of a toll float bridge in place thereof; and the said Common Council are hereby authorized to assess the expense thereof upon the real property deemed benefitted thereby, or to levy a general tax upon the city of Buffalo for the same, or to require the said Company to pay such expense, and to distribute the expense of the same in such proportions and on such interests as they shall deem equitable. Said draw to be of such width and capacity, and under such regulations as the said Common Council shall direct. And in case the said Common Council shall order the construction of said draw, or in place thereof a toll float bridge, wholly at the expense of the Company, in place of the present toll bridge, then and in that case, if the said Company shall refuse or neglect to construct the same, the said Common Council shall have power to remove the present bridge, and the said Company shall have all right to replace the same."

The Common Council of the City of Buffalo, on the 24th day of April, 1852, by resolution, caused notice to be given to said Company to construct a draw in their said toll bridge, within fifteen months from the time of said notice, and thereafter, to wit, on the 2d day of January, 1854, passed the following report from the Committee on Wharves and Public Grounds:

"Ald. Pierce presented the following report from the Committee on Wharves and Public Grounds:

The Committee on Wharves and Public Grounds, to whom was referred the resolution of Ald. Pierce, in relation to the subject of a draw in the Buffalo and Hamburgh Turnpike Company's Toll Bridge, respectfully report:

"That in their opinion public necessity demands that a draw should be immediately constructed in said bridge. They would therefore present the following resolutions, and recommend their adoption:

"Whereas, The notice required by the first section of chapter 198, of the laws of this State, of the year 1848, was duly given to the Buffalo and Hamburgh Turnpike Company, on the 24th day of April, 1852, and more than fifteen months having elapsed since the giving of said notice, therefore,

"*Resolved*, That *in pursuance* of said section and chapter and the notice aforesaid, this Council do hereby *order and determine* that the Buffalo and Hamburgh Turnpike Company shall construct a draw in their toll bridge over Big Buffalo Creek, at the cost and expense of said Turnpike Company. Which draw shall be seventy feet in width [in order that a steamboat measuring sixty-eight feet over guards, may freely pass through the same] said draw shall be constructed as aforesaid within ninety days after this date, and in case said company shall neglect to comply with this resolution, then the Street Commissioner is hereby directed to cause said bridge to be removed, and at the point occupied by it, to remove all obstructions to the free navigation of said Big Buffalo Creek.

"*Resolved*, That if said Buffalo and Hamburgh Turnpike Company shall acquire title to the land necessary to construct a draw of the width above named on the northerly side of the northerly abutment of their present toll bridge, and shall, within ninety days after this date, excavate, construct and complete said draw, with the necessary abutments, and suitable depth of water to admit the passage of vessels, and steamboats of the size above named, to the satisfaction of the Street Commissioner, and Committee on Wharves and Public Grounds, then, it is hereby ordered and determined that said draw shall be accepted, instead of the draw above ordered, and that two thirds of the expense of the excavation and construction of said draw shall be borne by the city.

"The ayes and noes were called upon the above report and resolutions, and the same were adopted by the following vote:

"Ayes—Ald. Baker, Bemis, Chamberlain, Devening, Evans, McKay, Pierce, Walsh—8.

"Noes—Ald. Wells—1.

"Approved January 23, 1854.

'ELI COOK, Mayor."

And whereas, on the 9th of October, 1854, the Common Council declared its intention to widen, straighten and enlarge Buffalo Creek as follows:

"That the Common Council of the city of Buffalo intend to take and appropriate the property necessary to widen and straighten the Buffalo Creek at its intersection with Ohio street, bounded and described as follows: commencing at a point in the easterly line of Ohio street *seventy-eight feet northerly from the inner face of the northerly abutment of the Buffalo and Hamburgh Turnpike Company's toll bridge;* thence running easterly at right angles with Ohio street to the waters of the Buffalo Creek; thence westerly along the shore of said creek to the said easterly line of Ohio street; thence northerly to the place of beginning; and thence running

westerly at right angles with said Ohio street to the said waters of the Buffalo Creek; thence easterly along the shore of said creek and the abutment of said bridge to the said easterly line of Ohio street; thence northerly to the place of beginning: And the City Clerk is hereby directed to give notice of such intention by publishing the same in the city paper in twenty successive numbers. Adopted.

"Ald. Pierce then presented an agreement, under seal, signed by H. W. Rogers, Geo. W. Tifft, and others, owners of stock of the Buffalo and Hamburgh Turnpike Co., agreeing to pay into the city treasury, to be expended towards defraying the expense of constructing a slip and draw at the point mentioned in the foregoing resolution, the sum of $3,000; such payment to be made during the first 30 days that the assessment for said work shall be in the hands of the Receiver of Taxes.

"The same was read and referred to the Committee on Wharves and Harbors."

And thereafter, to wit, on the 18th day of August, 1856, the report of Commissioner in the matter of said improvement was presented to the Council in words following, to wit:

"The report of the Commissioners appointed by the Superior Court of Buffalo to ascertain and report the just compensation to be paid to the person or persons owning or having an interest in the property deemed necessary to widen, and straighten and enlarge Buffalo Creek, as follows:

"All the land bounded north by a line drawn at right angles with and across Ohio street through Louisiana street to Buffalo Creek, below the toll bridge of the Buffalo and Hamburgh Turnpike Company, and extended eastward to said creek above said bridge, and which line shall be distant in the centre of Ohio street north *eighty-three feet from the inner or south face of the north abutment wall of said bridge;* and westerly, southwesterly, southerly, southeasterly and easterly by the waters of said creek, the time for the consideration of which, and of the objections thereto, had been postponed until to-day, was taken up and opportunity given to parties interested to be heard.

"H. W. Rogers and A. L. Baker, Esquires, addressed the Council in favor of the confirmation of said report.

"A. S. Bemis, Esquire, addressed the Council in opposition to the confirmation of the said report.

"The question being on the confirmation of the said report.

"Ald. Wells moved the previous question. Carried.

"And the said report was confirmed. Ayes, 13; Noes, 9."

And whereas, said improvement has been delayed until the present year, and the said toll bridge still remains a permanent obstruction to the navigation of Buffalo Creek above said bridge, and parties owning rights on said creek are desiring of this Council immediate action in the matter.

And whereas, the Council has heretofore caused the following notice to be published in the official paper for ten days, to wit:

"Buffalo Creek widened, straightened and enlarged by excavating so as to create a depth of twelve feet of water within the following described bounds, and protecting the same on the northerly side thereof with crib work:

"Commencing at a point in a line drawn at right angles to Ohio street, through a point 83 feet north of the south face of the present north abutment of the bridge across said creek at Ohio street, and distant on said line 321 feet from the centre of Ohio street as paved; thence west on said line 588 feet; thence south at right angles with last course 77 feet; thence east at right angles with last course 588 feet; thence north at right angles with last course 77 feet to the place of beginning.

Dated Buffalo, March 26th, 1861.

O. F. PRESBREY, City Clerk."

Now therefore, be it resolved that the Common Council of the city of Buffalo have determined and do hereby determine to cause the following improvement to be made in said city, to wit:

Buffalo Creek widened, straightened and enlarged by excavating so as to create a depth of twelve feet of water within the following described bounds, and protecting the same on the northerly side thereof with crib work:—Commencing at a point in a line drawn at right angles to Ohio street, through a point 83 feet north of the south face of the present north abutment of the bridge across said creek at Ohio street, and distant on said line 321 feet from the centre of Ohio street as paved; thence west on said line 588 feet; thence south at right angles with last course 77 feet; thence east at right angles with last course 588 feet; thence north at right angles with last course 77 feet to the place of beginning.

Ald. Howell moved the previous question, which was ordered.

The question was taken on the adoption of the substitute offered by Ald. Bemis, and the same was lost. Ayes 4; Noes 20.

The said resolution reported by Ald. Palmer was then adopted. Ayes 22; Noes 2.

Ald. Palmer, from the said Committee on Streets, also reported in favor of the adoption of the following resolutions:—

That when an assessment shall be confirmed to defray the expenses, the City Surveyor be, and he is hereby authorised and directed to contract with Strong & Richardson, they being the lowest bidders therefor, for widening, enlarging and straightening Buffalo Creek at the Toll-bridge on Ohio street, by excavating a channel 50 feet wide and 12 feet deep, and building crib-work in accordance with the plan and specifications for doing the same, at a sum not exceeding $5,930. Adopted.

That the City Assessors be directed to assess $5,930, for widening, straightening and enlarging Buffalo Creek at the Toll Bridge on Ohio street by excavating a channel on the northerly side of said Creek.

Ald. Bemis moved as an amendment to strike out the sum of $5,930, and insert the sum $3,954 in place thereof.

Ald. Bemis moved as a further amendment, that the City Assessors be directed to assess one-third of the amount of $5,930 upon the Buffalo & Hamburgh Turnpike Company. Lost. Ayes, 5; Noes, 17.

The motion of Ald. Bemis to strike out $5,930 and insert $3,954 was then lost. Ayes, 8; Noes, 14.

And the said resolution was then adopted. Ayes, 22; Noes, 1.

The Committee on Streets, to whom was referred back the following, report the same back:

That the Common Council intend to establish the grade of Franklin street from North street to Allen street as follows, to wit:

Commencing in the center of said Franklin street, at its interesection with the southerly line of North street, at an elevation of 91.30 feet above the base line of levels; thence southerly along the center of said street, rising 1.063 feet per 100 feet, for a distance of 160 feet; thence level for a distance of 175 feet; thence falling 2.34 feet per 100 feet for a distance of 115 feet; thence falling 3.846 feet per 100 feet for a distance of 546 feet to the north line of Allen street, at an elevation of 69.30 feet above the base line of levels; and that the Clerk cause necessary notice to be given. Adopted.

The President resumed the Chair.

Ald. Swartz, from the Committee on Side and Cross Walks, reported in favor of the adoption of the following resolutions:

That the owners of land on the southerly side of Ohio street, between Main and Washington streets, cause a sidewalk to be repaired by raising and leveling the flagging where necessary, within 5 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $10 and report. Adopted.

That the owners of land on the westerly side of Jefferson street, between Eagle and Clinton streets, cause a sidewalk to be constructed four feet wide of good hemlock plank, three inches thick, within 10 days, and if not constructed within that time, that the Street Commissioner cause the same to be done at an expense not to exceed $75 and report. Adopted.

That the owners of land on the westerly side of Spring street, between Genesee and Sycamore streets, cause a sidewalk to be constructed four feet wide of good hemlock plank three inches thick, within ten days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $130 and report. Adopted.

That the owners of land on the south-easterly side of Virginia street, between the present walk on Niagara street and the curbing on the south east corner of Niagara and Virginia streets, cause a sidewalk to be constructed of stone flagging four feet wide, within 10 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $5 and report. Adopted.

That the owners of land on the south west side of Seventh street, from a point 150 feet southerly from Maryland street to a point 50 feet southerly from the first named point, cause a sidewalk to be repaired by substituting new plank and timbers where necessary, within 10 days, and if not completed within that time, that the Street Commissioner cause the same to be done at an expense not exceeding ten dollars and report. Adopted.

That the owners of land, on the easterly side of Walnut street, between Eagle and Clinton street, cause a sidewalk to be repaired, four feet wide, by substituting good new hemlock plank, three inches thick where necessary, within ten days, and if not completed within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $20, and report. Adopted.

That the owners of the land, on the westerly side of Michigan street, between Burton Alley and Carlton street, cause a sidewalk to be repaired, four feet wide, by substituting good hemlock plank, three inches thick, where necessary, within ten days, and if not done within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $50, and report. Adopted.

That the Street Commissioner cause the plank crosswalk across Franklin street, on the north side of Edward street to be reconstructed, at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause a plank crosswalk, to be constructed across Allen street, on the westerly side of Delaware street, at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause a plank crosswalk to be constructed across Fifth street, on the southeasterly side of Virginia street, at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause the crosswalk across Spring street, on the north side of Clinton street to be repaired, at an expense not exceeding $10. Adopted.

That the Street Commissioner construct a crosswalk across Franklin street, on the southerly side of Mahawk street, and place a platform stone at the end thereof. Adopted.

Ald. Yaw, from the Committee on Fire reported in favor of the adoption of the following resolutions:

That the Common Council of the city of Buffalo do hereby request His Honor the Mayor to offer a reward of one hundred dollars to any person or persons who may give such information as will lead to the detection and conviction of any person or persons who have or may wilfully (during the year 1861) injure or destroy any hose, fire apparatus or other property belonging to the Fire Department of the city of Buffalo. Adopted. —ayes, 23; Noes, 0.

That the Common Council of the city of Buffalo do hereby request His Honor the Mayor to offer a reward of two hundred dollars to any person or persons who may give such information as will lead to the detection and conviction of any person or persons who have or may during the year 1861, wilfully set on fire any house, or other building within the limits of said city of Buffalo. Adopted. Ayes, 18; Noes, 5.

That permission is hereby granted to Christoph Wagner, to erect a wooden addition to premises No. 527, Michigan street; the same to be done under the direction of the Fire Marshal, and subject to the further order of the Council—said premises to be 16 feet by 20, and 14 feet high. Adopted. Ayes, 23; Noes, 0.

That Engine Co. No. 6 be disbanded.

Ald Bemis moved to refer same back to the Committee on Fire,

Ald. Beckwith moved to amend the motion of Ald. Bemis by adding thereto the following: "And that said Committee enquire and report as to the expediency of continuing said Company for another year. Amendment accepted by Ald. Bemis.

And the motion of Ald. Bemis as so amended was then carried.—Ayes 13, Noes 9.

That Hose Company No. 3, be and it is hereby disbanded, for the purpose of locating a steam fire engine on the premises now occupied by the said Hose Company, and

the Fire Marshal is hereby directed to take immediate possession of the premises. Adopted.

That the prayer of the petition of L. K. Bogert, asking permission to remove barn from premises No. 331 Washington street to his lot, corner of Clinton and Elm street, be denied. Adopted.

Also, reported the following chapter of the city ordinances, as revised by said committee:

CHAPTER XVII.

OF THE PREVENTION AND EXTINGUISHMENT OF FIRES.

§ 1. No person shall, without permission of the Common Council, erect, or place or move from one place to another, any building or part of any building, except constructed of the materials and in the manner prescribed in the second section of this chapter, within the following described territory, which is hereby designated as the fire limits of the city of Buffalo, to wit:

Commencing at a point on the northerly margin of lake Erie at a point 100 feet northwesterly from the northwesterly line of Georgia street, thence northeasterly, parallel to and 100 feet distant from said northwesterly line of Georgia street, to a point 100 feet southwesterly from the southwest line of Sixth street; thence northwesterly, parallel to and 100 feet distant from the southwesterly line of Sixth street to the centre of York street; thence northeasterly along the centre of York street to a point 100 feet northeasterly from the northeasterly line of Ninth street; thence southeasterly, and parallel to and 100 feet distant from the said line of Ninth street, to a point 100 feet distant from the northwesterly line of Carolina street; thence northeasterly, parallel to and 100 feet distant from the said line of Carolina street, to a point 100 feet northerly of the north line of Tupper street; thence easterly, parallel to and 100 feet distant from the northerly line of said Tupper street, to a point 100 feet west of the west line of Delaware street; thence northerly and parallel to and 100 feet distant from the west line of Delaware street, to a point 100 feet north of the north line of North street; thence east, and parallel to and 100 feet distant from the north line of North street, to a point 100 feet east of the east line of Washington street; thence southerly, and parallel to and 100 feet distant from the east line of Washington street, to a point 100 feet north of the northerly line of Goodell street; thence easterly, and parallel to and 100 feet distant from the northerly line of Goodell street, to a point 100 feet east from the easterly line of Michigan street; thence southerly, and parallel to and 100 feet distant from the easterly line of Michigan street, to a point 100 feet north of the northerly line of Eagle street; thence easterly, parallel to and 100 feet distant from the north line of said Eagle street, to a point 100 feet east of the easterly line of Cedar street; thence southerly, parallel to and 100 feet distant from the easterly line of said Cedar street, to a point 100 feet northerly from the northerly line of North Division street; thence easterly, parallel to and 100 feet distant from the north line of said North Division street, to a point 100 feet east of the easterly line of Hickory street; thence southerly and parallel to and 100 feet distant from the easterly line of Hickory street, to a point 100 feet northerly from the northerly line of Swan street; thence westerly, parallel to and 100 feet northerly of Swan street to a point 100 feet easterly from the easterly line of Louisiana street extended; thence southerly, parallel to and 100 feet distant from the said easterly line of Louisiana street, to the northerly line of Big Buffalo Creek; thence northwesterly along the margin of said Buffalo Creek and the shore of Lake Erie, to the place of beginning.

§ 2. Every building or part of a building made, constructed or placed within the aforesaid fire limits, shall be built of iron, or stone, or brick; and when such building or part of a building is built of stone or brick, and is more than one and a half stories in height, the outer walls of all but the upper story shall be at least twelve inches in thickness, and where more than three stories in height, the outer walls of all but the upper stories shall be at least sixteen inches in thickness; and every building, between the basement and third story thereof, which is to be divided into one or more stores, or tenements, or dwellings, fronting on a street or alley, shall be so divided by stone or brick partition walls, running from the front of such building to the rear, at least one foot in thickness, and extending from the bottom of the cellar or basement upwards to at least ten inches above the roof of such building, and the ends of any and all joists resting in or upon any wall or partition, shall be at least four inches apart in each direction, and any space or spaces intervening between the ends of such joists shall be filled with brick and mortar, and there shall not be any cast iron railings erected or placed upon the roof of any building, unless said railing shall be securely fastened to the walls or rafter plates of such building, and there shall not be any wood cornices constructed or placed upon any building used or to be used for business purposes, and the walls of all chimneys erected in any building shall be at least four inches in thickness, and the sides of any such chimney, upon the inside thereof, shall be properly plastered.

§ 3. In all buildings and erections of every description, situated within the fire limits of the city of Buffalo, all the trap doors, scuttles or other openings in the roofs or floors of such buildings or erections, shall be safely and securely closed and fastened at all time of the day or night, or surrounded with a strong railing of wood or iron, at least 4½ feet high, so as to prevent any fireman or other person from falling through, except when such scuttle or trap-door should be opened for and in actual use; and every violation of this provision shall subject the owner or occupant of, or agent, of any room, building or other erection in which such scuttle, trap-door or other opening, shall be found not to be so safely and securely closed and fastened, to a penalty of fifty dollars for each and every such offence.

§ 4. Every dwelling house or building, more than one story in height, within the city, shall have a scuttle through the roof, and a convenient and suitable stairway or ladder leading to the same; and any person constructing such a dwelling house or other building, without having such a scuttle, and every owner of any such house or building now erected, (not having other permanent and convenient means of access to the roof,) neglecting to comply with the requisitions of this section, for the space of thirty days after notice, shall forfeit twenty-five dollars, and the further sum of five dollars for every ten days the non-compliance shall continue to exist.

§ 5. No pipe of any stove or franklin shall be put up, unless it be conducted into a chimney made of brick or

stone, and all apertures in chimneys for such pipe, shall be securely closed up at all times when not filled with pipe, and in every wood partition or floor through which a pipe is to run, there shall be placed a stone crock or double tin cylinder, through which such pipe shall extend, and between such crock or cylinder and such pipe, there shall be a space of at least one inch, nor shall any such pipe be so put up as to project through the said chimney into the open air, except under the written permission of the mayor, or any two aldermen; and any person who shall put up, or suffer to be put up upon any premises of which he is owner, occupant or agent, the pipe of any stove or franklin, or leave any aperture as aforesaid, in any chimney unclosed, contrary to this section, shall forfeit the penalty of ten dollars for each and every offence, and the further sum of one dollar for each and every twenty-four hours it shall so remain after notice rom the mayor, fire marshal, or any fire warden to alter the same.

§ 6. No hay, straw or other combustible material, shall be deposited within fifteen feet of any place where fire or ashes are kept, unless the said material be kept in a close and secure building, under the penalty of five dollars for each and every offence, and the like penalty for every twenty-four hours such material shall remain in an unsafe condition, aft r notice to remove the same shall have been given by the mayor, fire marshal or any of the fire wardens.

§ 7. It shall be the duty of the appointed fire wardens, whenever required by the fire marshal, to examine carefully every house, store, shop or building, and place for keeping and deposit of ashes, or where shall be kept or deposited, or wherein shavings or other combustible matter may be contained, and remove or abate at the expense of the owner or occupant, or agent thereof, any cause from which immediate danger may be apprehended; and to enter and examine every dwelling house or building within the city, and examine any stove, pipe, chimney or roof, for the purpose of ascertaining whether the provisions of the fourth and fifth sections of this chapter have been complied with by the owner, occupant or agent of the same, and report every violation of said provisions, and of the provisions of this section, to the fire marshal, and if any person obstruct or hinder any warden, or other officer authorised to make such examination, in the performance of the duties aforesaid, he shall forfeit a penalty not exceeding fifty dollars for each and every offence, to be fixed and determined by the court or officer before whom action shall be brought, for the recovery thereof.

§ 8. The Mayor or any Alderman may give such directions as he may deem proper, relative to the laying, fastening and berths of all boats or vessels having on board gunpowder, or being loaded with hay, or other combustible materials; or to direct such gunpowder, hay or other combustible matter, to be removed to a place of safety; or, if gunpowder, to be placed in a powder house, within such time and manner as either said Mayor or Alderman shall direct; and it shall be lawful for either the said Alderman or Mayor to cause such combustible matter to be removed, and any person owning or having the same in charge, who shall neglect or refuse to comply with the directions given under this section, shall forfeit a penalty of fifty dollars for each and every offence.

§ 9. It shall not be lawful for any person to have or keep any quantity of gunpowder exceeding six pounds weight in any one place, for any longer period than twelve hours, except in such powder magazine as may be approved of by the Common Council; which said quantity of six pounds shall be separated in stone jars, or in tin cannisters, neither of which shall contain more than one pound, under the penalty of twenty-five dollars for each and every offence, and under a further penalty of fifty dollars for every twelve hours the said powder shall remain, after notice from the Mayor, or any Engineer, or Warden, or Police officer, to remove the same.

§ 10. There shall be paid to the keeper of any magazine, now or hereafter approved by the Common Council, twenty-five cents on each keg of powder, received, stored, and delivered by him, to be paid by the person for whom it is stored.

§ 11. No person shall carry fire in or through any street or lot in the territory comprised within the following limits, viz: The city of Buffalo as the same existed prior to January 1, 1854, and that part of the late town of Black Rock, included in the present Seventh and Eleventh Wards, and that portion of the late village of Black Rock now included in the Twelfth Ward, except the same be placed or carried in some close and secure pan or other vessel, under a penalty of five dollars for each and every offence.

§ 12. No ashes, except at manufacturers, where ashes are used, shall be kept or deposited in any part of the territory mentioned in section eleven of this chapter, unless the same be in a close and secure metalic or earthen vessel, or brick or stone ashroom, under the penalty of five dollars for every offence, and a further penalty of one dollar for every twelve hours the same shall remain after notice from a warden to remove the same.

§ 13. No person shall fire or set off any squib, cracker, gunpowder or firework, or fire any gun or pistol, in any part of the territory mentioned in section 11 of this chapter, unless by written permission of the Mayor or two Aldermen, which permission shall limit the time of such firing, and shall be subject to be revoked at any time after it has been granted by order of the Common Council, or by the Mayor or Aldermen granting the same; and any person or persons violating any of the provisions of this section, shall forfeit the penalty of five dollars for each and every offence.

§ 14. Every person firing a cannon within the city, unless by permission of the Mayor or two Aldermen, shall forfeit the penalty of twenty-five dollars.

§ 15. The fire department shall consist of a chief engineer, and not more than three assistant engineers, the fire wardens of the several wards, and as many firemen as the Common Council shall from time to time appoint, to take the care and management of the engines and other apparatus and implements provided for the extinguishing of fires.

§ 16 The chief engineer, in all cases of fire, shall have sole control over all the members of the fire department, and over all the engines and apparatus belonging thereto; and any person belonging to the said department, who shall refuse or neglect to obey any legal order of the said engineer, shall forfeit a penalty not exceeding twenty-five dollars for each and every such neglect or refusal.

§ 17. In the absence of the chief engineer, the first assistant, and in case of his absence, the second assistant, and in case of his absence the third assistant shall officiate as chief engineer.

§ 18. It shall be the duty of the several fire wardens, in case of fire, to repair immediately to the place where such fire may be, and report without delay to the chief or acting engineer, and to obey all orders and commands of such officer, under the penalty prescribed in section sixteen.

§ 19. The firemen shall be divided into companies to consist of not more than forty-five members in each company, and no person shall be appointed a fireman who is under twenty-one years of age. It shall be the duty of the secretary of each fire company to report to the commissioners of the fire department, monthly, all changes which have occurred in said company by death, resignation, removal or otherwise, since the last report of said company, and when members are so reported as expelled by the company, such report shall state the reason or cause of such expulsion.

§ 20. It shall be the duty of the city clerk to keep a register to be called "the Fireman's Register," in which shall be entered in alphabetical order the names of all firemen admitted to or expelled from the fire department by the common council, with the dates of their admission to, and of their leaving the department, and the names of the companies to which they severally belong, and the names of all other members of the fire department with the offices which they severally hold. He shall also keep a register of the several fire companies, in which shall be entered a list of the members of each fire company separately, with the date of their admission and of their leaving said company.

§ 21. Each fireman upon being duly appointed by the Common Council, shall be entitled to receive a certificate of that fact, which certificate shall be signed by the Mayor and City Clerk. Such certificate shall not be evidence of his continuing to be a firemen after the first Monday of May, in any year after it is granted, unless the same shall be renewed by an endorsement to that effect thereon, which renewal may be made by the Chief Engineer upon the statement of the Foreman or Secretary of the Company, to which such fireman belongs, to the effect that he is still an acting member of such company. Duplicate certificates may be issued in a like manner and form, in case of the loss or destruction of the original certificate. Every fireman who shall have been duly appointed by the Common Council and registered, and who shall have served as a fireman for the full time required by law, shall, upon application to the Common Council, and on production of the above certificate, showing the time of such service, or in case the same cannot be produced, other satisfactory evidence of the time of such service, be entitled to receive a certificate of such full service under the corporate seal of the city, and signed by the Mayor and City Clerk.

§ 22. The different fire companies shall be under the control and direction of the Foreman and Assistant; and upon an alarm of fire, the said companies shall immediately repair to the place of the fire, (unless otherwise directed by the Common Council,) with the engines, hose, hooks and ladders, and other implements under their care, and there work and manage the same under the direction of the Chief Engineer and his Assistants; and in case of their absence, place and work their engine and fire apparatus in the most effectual manner, until the fire shall be extinguished, and shall not remove therefrom, but by permission of an engineer; and on such permission, they shall return their respective engines, hose carts, hooks and ladders, and apparatus, to their respective places of deposit.

§ 23. The firemen shall, when directed by the Common Council, draw out and work the engines, hook and ladder carriages, and other implements committed to their care, under the direction of the Chief Engineer and Assistants.

§ 24. If any fireman shall neglect or refuse to attend any regular meeting of the company to which he is attached, he shall forfeit and pay for every default the pecalty of one dollar, unless he be exonerated therefrom by the vote of two-thirds of the company.

§ 25. If any person having charge of an engine, or other fire apparatus, shall suffer or permit the same to be applied to private use, without the consent of the Mayor or Fire Marshal, he shall forfeit a penalty not exceeding fifty dollars, to be fixed by the court, or officer before whom the action for the recovery thereof shall be tried.

§ 26. The fire apparatus shall not be moved from the limits of the city, as they existed previous to the first day of January, in the year eighteen hundred and fifty-four, except by the special consent of the Mayor, Fire Marshal, or Chairman of the Committee on Fire.

§ 27. The Fire Marshal may, and it shall be the duty of the officers and firemen of each fire company, to exclude from the engine, hook and ladder or hose house of such company, all persons under the age of twenty-one years.

§ 28. No person shall frequent or enter any engine house, hook and ladder house or hose house, used or occupied by or belonging to the city of Buffalo, between the hours of ten o'clock P. M. and seven o'clock A. M., except the person who shall be for the time the keeper or porter thereof, and except in case of fire or alarm of fire, or at the time of the regular or special meetings of the company attached to such house respectively, and except three persons for each hose house, and five persons for each engine and hook and ladder house, such persons to be nominated by the foreman of the company to which they respectively belong, and to be approved by the Mayor and one or more of the Fire Commissioners of the city of Buffalo, which approval shall be in writing, and may be at any time revoked, and which persons so nominated and approved shall be allowed to sleep in the houses to which they respectively belong, under the penalty of five dollars for each and every offence. No person shall take into or in any manner use in any engine, hook and ladder or hose house, as aforesaid, any spiritous, vinous or malt liquor or cider, or play therein at any game of cards or other game whatever, under the penalty of twenty-five dollars for each and every offence.

§ 29. No person shall push, draw, back, or drive, or aid or assist in pushing, drawing, backing, or driving, any fire engine, hose cart, hook and ladder carriage, or other vehicle attached to the fire department, over or upon any sidewalk in any street, unless it be in crossing said walk to go into a yard or lot, under the penalty of ten dollars for each and every offence, and if the offender be a fireman he shall also be subject to expulsion from the fire department.

§ 30. For the purpose of giving alarms of fire, the city shall be divided into four fire districts:

First District—To embrace all that portion of the city lying south of Court street and west of Main street.

Second District—All south of Clinton street and east of Main street

Third District—All north of Court street and west of Main street.

Fourth District—All north of Clinton street and east of Main street.

The chief engineer shall prescribe rules for the ringing of alarm bells, so as to indicate the district in which the fire shall exist.

§ 31. No person shall wilfully ring, or aid or assist in ringing any bell, or make any shout or cry for the purpose, or which shall be designed or have the effect, to create a false alarm of fire, or in any manner aid or assist in creating such false alarm, under a penalty of ten dollars for each and every offence.

§ 32. Any member of any engine, hook and ladder or other fire company, who shall, in case of fire, refuse or neglect obedience to any reasonable order of the officer in command of the company to which he belongs, shall forfeit the penalty of five dollars for each and every offence.

§ 33 The mayor and aldermen shall severally bear a staff, with a gilded flame at the top, and not be required to bear any other badge of office.

§ 34. The Chief Engineer shall wear a leathern cap painted white, with a gilded front, and the words "Chief Engineer," painted thereon in black; and shall also carry a speaking trumpet, with the words "Chief Engineer" painted thereon.

§ 35. Every Assistant Engineer shall wear a cap painted white, except the combs, which shall be black, with a gilded front, and the word "Engineer," together with the number designating his rank, painted thereon in black, and shall also carry a speaking trumpet, with the word "Engineer," and the number designating his rank painted thereon.

§ 36. The Fire Wardens shall severally wear a hat, with the brim black, the crown painted white, and the word "Warden" painted in front, in black, and shall also carry a staff, with the word "Warden" painted thereon in white.

§ 37. Every Foreman and Assistant of a fire company, shall wear a leathern cap of the form heretofore used, with the word "Foreman" or "Assistant," (as the case may be,) with the initials of his name and the number of the company to which he belongs, thereon.

§ 38. Every fireman (not an officer) when on duty, shall wear a leathern cap of the form heretofore used, with the initials of his name and the number of the company to which he belongs, painted in front thereof.

§ 39. Every person who may repair to a fire shall be obedient to the orders of the Mayor, Aldermen, Wardens, Chief Engineer and Assistants, Foremen and Assistant Foremen of Companies, in drawing any engine or other apparatus to the fire, and working the same when there, in the removal of property, and in the extinguishment of fires; and in case any person shall neglect or refuse to obey such orders, he shall forfeit the penalty of five dollars for each and every such neglect or refusal.

§ 40. Every person wilfully offering any hindrance to any fireman, in the performance of his duty as such, and every person who shall wilfully injure any hose, fire engine, or other fire apparatus, or buildings containing the same, belonging to the city, shall forfeit a penalty of five dollars for each and every offence.

§ 41. In addition to the duties of Fire Marshall, prescribed by the charter, the said Fire Marshal shall report to the Common Council immediately after the occurrence of any fire, the number and description of the buildings destroyed or injured by fire, together with the names of the owners or occupant thereof.

The Fire Marshal shall have the general charge of all the property of the city connected with the Fire Department, and shall preserve and keep the same in complete repair, and in the best order for immediate use. But no expenditure for the Fire Department, other than for the necessary ordinary repairs of the fire apparatus, exceeding fifty dollars, shall be made without the previous order of the Common Council, and whenever a greater expenditure is needed for any other purpose than the repairs above specified, it shall be the duty of the Fire Marshal to report the same to the Common Council for their action.

The said Marshal shall have power to appoint two suitable and proper persons, and as many others as the Common Council may authorize and direct, to take charge, protect and preserve, under the direction and supervision of the said Marshal, the engine, hook and ladder and hose houses, and all city property stored or placed therein, and act as porters and keepers thereof.

The said keepers shall receive such compensation for their services as the Common Council shall determine. The Fire Marshal shall also possess all the powers conferred by the ordinances of the city upon the appointed Fire Wardens.

§ 42. No person shall hereafter erect or use, or cause to be erected or used in the city of Buffalo, any boiler, (except the boilers of locomotive engines and of steam vessels,) for the purpose of generating steam, unless such boiler shall have within one year been subjected to a hydrostatic test, applied by a competent person or persons, and the maximum working power allowed to be used ascertained, under the same regulations applied by the United States local board of steamboat inspectors, under the act of Congress entitled "An act to amend an act entitled an act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam, and for other purposes," passed August 30, 1852; nor until a certificate of such test and of the maximum working power allowed to be used ascertained, under the regulations of the act aforesaid, shall have been made and signed by the person or persons applying such test as aforesaid, and the same filed in the office of the Clerk of the city of Buffalo, under a penalty of twenty-five dollars for each and every offence.

§ 43. No engineer or other person having charge of any boiler in the city of Buffalo (except the boilers of locomotive engines and steam vessels,) used for the generation of steam, shall under any circumstances load or make use the safety valve attached to any such boiler, or in any other manner subject such boiler to a greater pressure than the maximum working power allowed to be used by the certificate of the person or persons applying the hydrostatic test, made and filed as provided in the

preceding section, under the penalty of twenty-five dollars for each and every offence.

§ 44. Any and all sum or sums of money which shall be collected or received by any officer, for or upon any penalty prescribed in any section or sections of this chapter, shall be paid by such officer to the Treasurer of the Firemen's Benevolent Association of the City of Buffalo, for the sole use and beneft of such Benevolent Association: and such Treasurer is hereby authorized to collect and receive the same for the uses and purposes aforesaid.

§ 45. Penalties incurred for the violation of any of the provisions of this chapter, may be sued for in the name of the city of Buffalo, and recovered with costs, before any Justice of the Peace in and for said city.

§ 46. All members of the Buffalo fire department shall hereafter, when on duty as firemen, wear a badge as hereinafter provided; such badge shall be made of bronze colored metal, bearing the words "Buffalo Fire Department; and each badge shall bear a distinct number in raised figures thereon of white metal; the badge to be worn by exempt firemen shall conform to the above description, but shall be composed of white meal; said badges shall be struck from dies which shall be exclusively the property of the city, and shall be placed in the custody of the city clerk; and all of such badges shall be numbered as the commissioners of the Buffalo fire department may direct.

§ 47. The said badges shall be deposited with the commissioners of the Buffalo fire department, who shall have sole charge of the distribution of the same; and it shall be the duty of the said commissioners to keep a register of the names of all persons who now are or who may hereafter become members of the Buffalo fire department, and of the number of the company to which said persons are attached, and also of the names of such exempt firemen as may in writing be permitted by the said commissioners to wear the badges aforesaid, and of the number of the badge delivered to each of said fireman and exempt fireman.

§ 48. It shall be the duty of the city clerk to certify in writing to the commissioners of the fire department, the names of all persons who may be appointed firemen; whereupon it shall become the duty of the said commissioners to deliver to each of them one of the badges aforesaid; and the said commissioners shall also deliver one of the aforesaid badges to each of such exempt firemen as may, by virtue of section 15 of an act of the legislature of the State of New York, entitled "an act for the better regulation of the firemen of the city of Buffalo," passed April 14, 1857, be permitted by said commissioners to wear the same.

§ 49. The said badges shall be the exclusive property of the city of Buffalo; and whenever any member of the fire department shall resign or be removed therefrom, it shall be the duty of the foreman and secretary of the company to which such member was attached, to make a return of ruch removal or resignation forthwith to the commissioners of the fire department, together with the badge formerly worn by such member.

§ 50. If the foreman and secretary of any company, or either of them, shall fail to comply with the provisions of the preceding section in relation to the return of badges, no return of members elected by such company shall be received therefrom, unless good and satisfactory cause shall be shown to the Commissioners why said badges are not returned; and should any member of the fire department lose his badge, it shall be the duty of the commissioners to inquire into the circumstances of the case, and unless they are satisfied that such loss was without fault on the part of the said member, they shall have power to suspend or remove him from the department in their discretion; but should the loss be satisfactorily accounted for to the said Commissioners, then they shall have the power to grant a new badge with a different number.

§ 51. Every exempt fireman to whom permission shall be given by the said Commissioners of the fire department to wear the aforesaid badge, shall have the said permission renewed some time during the month of May in each year; otherwise such permission shall be deemed revoked; and the said Commissioners may at any time revoke any permission so granted by them; but in case such permission is not renewed or is revoked, it shall be the duty of such exempt fireman to restore the badge previously worn by him to the said Commissioners, under a penalty of twenty-five dollars for his refusal so to do.

§ 52. Every fireman or exempt fireman, who shall lend his badge or allow the same to be worn at fires by any other person than himself, shall be subject to a penalty of twenty-five dollars and expulsion from the department; and any person who shall be guilty of wearing at a fire any badge to which he is not entitled under the foregoing ordinances, shall on conviction thereof forfeit a penalty of twenty-five dollars.

§ 53. Whenever any fire company shall be disbanded, all duly enrolled members of said company who are not implicated in any charge of disorderly conduct, may on application within three months thereafter, be admitted to some other fire company, and all such members not so applying shall be deemed to have resigned their position as firemen, and shall be so entered on the fireman's register. It shall be the duty of the Fire Marshal to cause the badges of all members of such disbanded company who are not so resppointed, to be returned to the Fire Commissioners.

§ 54. Every fireman of the city of Buffalo, before being appointed, or before such badge is delivered to him, shall take and subscribe an oath or affirmation, to the effect that it is his intention to perform active duty as a fireman in the company in which his name is enrolled, and that he will promote subordination in the department.

§ 55. Every fireman not applying to the commissioners and receiving the badge above mentioned within three months after notice to him, or to the foreman or secretary of the company which he is enrolled, shall be deemed to have forfeited his appointment, and his name shall be stricken from the roll of firemen.

§ 56. It shall be the duty of the police when a fire occurs, to form a line, at least two hundred feet distant from the said fire, on either side thereof, and they shall not under any circumstance, permit any person to pass said lines, unless said person shall wear the badge of the fire department, except the Mayor of the city, an Alderman, a member of the police department, an owner of property within, or resident in the prescribed lines, or an agent of an insurance company doing business in the city.

§ 57. It shall be the duty of the police to promptly remove from within said lines, all persons not designated

in the last preceding section, and all persons refusing to retire at the request of a policeman, from within the said lines, shall be deemed guilty of a misdemeanor, and forthwith arrested, and shall be liable to a penalty of ten dollars for each and every offence.

§ 58. All ordinances conflicting with the foregoing sections are hereby repealed.

Referred to the Committee of the Whole and ordered printed.

Ald. Jones, from the Committee on Water, reported the following chapter of city ordinances, as revised by said committee:

CHAPTER XVIII.

OF WELLS, WATER, WATER WORKS, ETC.

Title 1.—Of the Public Pumps, Wells and Cisterns.

§ 1. No person shall water any horse or cattle within thirty feet of any public well or pump; nor shall any person filling any cask at any such well or pump, delay or hinder any other person in obtaining water with a pail or bucket, under the penalty of two dollars for each and every offence.

§ 2. No person shall wilfully delay or hinder any other person from procuring water at any of the public wells or pumps in this city, under the penalty of two dollars for each and every offence.

§ 3. Every person who shall, in any manner injure, deface or put out of order, any of the public pumps, cisterns, reservoirs or wells in this city, or any of the appurtenances thereunto belonging, shall forfeit the penalty of ten dollars for each and every offence.

§ 4. Every person who shall cast or throw, or suffer, or permit to be cast or thrown, any impure or unwholesome substance into any of the public pumps, cisterns, reservoirs or wells of this city, shall forfeit the penalty of fifty dollars.

§ 5. No person or persons shall carry or convey from any public well or pump any water, by any means whatever, except for ordinary household purposes, (washing excepted,) after the same shall have been forbidden by the street commissioner, by putting a written or printed notice to that effect upon such well or pump, under the penalty of five dollars for each and every offence.

§ 6. No person or persons within the limits of any street, public square, or alley, and within one hundred feet of any public well or pump in this city, shall wash, scrub, or clean any carriage, wagon or other vehicle, article or thing whatever, under the penalty of five dollars for each and every offence.

§ 7. No person or persons shall throw any sticks, stone or any substance into the public reservoir, on Prospect Hill, or enter within the fence enclosing said reservoir on the top of the bank, nor shall any child or person enter on the Sabbath or any otherday of the week, play upon the grass or the embankment of the said reservoir, or in any way injure or deface the fences, shade trees, flowers or shrubbery around said reservoir. A violation of any of the foregoing provision shall subject the offender to a penalty of ten dollars.

§ 8. The City Clerk shall cause to be put up in a conspicuous place at each corner of said reservoir, a printed or painted copy of the above regulation.

Title 2.—Of Water Works and Hydrants.

§ 1. Any person or persons who shall hereafter injure, deface or destroy any fire hydrant or pipe, or other fixture connected therewith, which shall be erected by the city for the extinguishment of fires, he or they shall forfeit and pay a penalty of twenty five dollars for each and every offence.

§ 2. Any person or persons who shall interfere or meddle with the fire hydrants, for any other purposes than the legitimate use of the fire department, or the extinguishment of fires, or shall draw water therefrom, without authority from the Buffalo water works company, he or they shall forfeit and pay the penalty of ten dollars for each and every offence

§ 3. It shall be the duty of every member of the fire department, immediately after the fire is extinguished and after using the fire hydrants, on all occasions to stop the flow of water, and securely fasten the cases and noggles, so as to effectually prevent any accident or injury that may occur in consequence of the same being left open and unfastened.

§ 4. In order that the fire hydrants may be at all times available, it shall be the duty of the chief engineer of the fire department to keep the same in repair, and properly protect them against frost.

Also, reported in favor of the adoption of the following resolution:

That a public well be constructed near the north-west corner of Michigan and Carlton streets, and that the Street Commissioner cause said well completed, and report the entire expense to this Council—such expense not to exceed $300—and that the previous action of the Council in ordering said work be repealed. Adopted. Ayes, 22; Noes 0.

Also, reported in favor of allowing the account of the Buffalo Water Works Company, for supply of water, &c., for the quarter ending March 31—amount $6,505 94—and of drawing order for same. Adopted.

Ald. Storck, from the Committee on Markets, reported the following chapter of city ordinances, as revised by said committee.

CHAPTER III.

OF MARKETS AND SALE OF MEATS, ETC.

§ 1. It shall not be lawful for any person to sell or offer or expose for sale, in the city of Buffalo, any fresh meat outside of the public markets, who shall not have obtained a license so to do, under a penalty of twenty-five dollars for each and every offence.

§ 2. It shall be the duty of every person who shall keep fresh meat for sale, to keep the place at which the same shall be exposed for sale, in a clean and orderly condition; and to keep the street adjacent to such place clean and free from all obstructions; and every person offending against the provisions of this section shall forfeit the sum of ten dollars for each and every offence.

§ 3. No licensed butcher or person shall directly or indirectly purchase, or cause to be purchased, from any farmer or other person, any fresh meats, except pork in the hog, offered for sale within the bounds of the city before nine o'clock in the forenoon, and re-sell the same meats, or any part thereof, at wholesale or retail, except such purchases shall be made between the first of May and the first of November, under the penalty of ten dollars for each and every offence.

§ 4. No fresh meat, except offals of hogs, consisting of feet, ears, snouts and spare ribs, (sold by persons being packers,) and except fish, venison and wild game, and

pork in the hog, shall be sold or offered for sale, at any place in said city, except at the market houses, and at such stall or stands as are or may hereafter be licensed; and beef shall not be cut at the slaughter house of any butcher, in pieces less than quarters; and all other carcasses shall remain whole, after the same shall be dressed, until delivered at the stall or stand of the butcher or other person selling or offering to sell the same.

§ 5. The Clerk of the Market shall provide, at the expense of the city, as often as the same may be required, suitable locks and fastenings, for the public markets, and have charge of the keys thereof. He shall cause the market to be opened and closed at such hours as the Mayor shall from time to time direct, and meats exposed, or intended to be exposed for sale at the stalls, shall be for that purpose delivered, and exhibited therein, as soon as the market is opened, on each day, or within one hour thereafter; but the Clerk may, on the application of any butcher or other person, permit meat to be delivered at any other time of the day.

§ 6. Every person who shall sell, or expose for sale, in this city, any unwholesome, stale, emaciated, blown, stuffed, tainted, bruised, putrid or measly meat, poultry or provisions, shall forfeit the penalty of twenty-five dollars for each and every offence; and the meat, poultry or other provision so exposed, shall without delay, upon the view of the Clerk of the market, be by him seized and destroyed.

§ 7. No mutton or lamb shall be sold in the said city until that part of the leg directly below the joint of the knee, be taken therefrom; and no butcher, or other person, shall between the first day of May and the first day of November, bring to any public market or place designated for the sale of meat, any untried fat, commonly called gut fat; nor at any time nor season, the head of any sheep or lamb unless the same be skinned and properly cleaned; nor any sheep or lamb, in carcass or otherwise, with a trotter or foot thereon; nor any hides or skins, under a penalty of ten dollars for each and every offence

§ 8. All meats sold in the city except pigs and lambs, shanks, offals, heads and plucks, shall be previously weighed and sold by the pound, and in case any fraud shall be committed in the weight of any meat, or in case any meat shall be sold except as aforesaid, not being weighed, the person selling the same shall forfeit the sum of five dollars for each offence.

§ 9. No licensed butcher or person, or any one in their employ, shall at any time during the hours for the sale of meats, or any other time, employ himself in the pitching of quoits, or playing any kind of game, in or about the market or place designated for the sale of meat, under the penalty of one dollar for each offence; nor use profane or obscene language, or otherwise conduct himself in an indecorous or offensive manner, under a penalty of five dollars for each and every offence.

§ 10. The several clerks of the markets shall receive in lieu of all fees, such compensation as the Common Council shall designate.

§ 11. No butcher or other person shall erect or keep any slaughter-house in this city, within the following described limits, viz: All that territory lying and being bounded northerly by York and North street, easterly by Jefferson to Eagle street, thence bounded northerly by Eagle street to the State Reservation line: thence southeasterly by said Reservation line to Lake Erie; nor shall any person kill or slaughter any beeves, calves, sheep or other animals within this city, outside the above described limits, unless the house, yard, pen or place, where such killing shall take place, be provided with a tight plank floor, or be paved with brick or stone; if paved with brick or stone, the same shall be laid in water lime cement; said floor to be made sufficiently tight to prevent the earth becoming the receptacle of filth and offensive matter; the floor in every such case shall be made with a descent towards a gutter which shall pass through the same, and leading to a tub or reservoir, which shall be placed to receive the blood and offal passing therein, which shall be emptied at the end of each day when killing has been done on the premises, at such place, as that no offensive effluvia shall arise therefrom; whoever shall violate any of the provisions of this section shall forfeit the penalty of twenty-five dollars.

§ 12. Every slaughter-house shall be whitewashed inside, at least once in each month, between the first day of April and the first day of November; whoever shall violate the provision of this ordinance shall forfeit the penalty of ten dollars.

§ 13. No butcher, or other person, shall keep any dog or bitch, in or about any of the markets or places designated for the sale of the meat, under the penalty of one dollar for each and every offence.

§ 14. No fresh meats shall be exposed for sale, except in such places as shall be designated by the Common Council, under the penalty of fifty dollars for each and every offence.

§ 15. The stand or place at which the person obtaining a license is to offer meat for sale, shall be specified in the license, and it shall not be lawful for him or his servants to sell or offer meat for sale at any other place under the penalty of fifty dollars for each and every offence.

§ 16. No fresh meat, except fresh pork, shall be sold or exposed for sale outside of and within three thousand feet of the public markets, under the penalty of fifty dollars for each and every offence.

§ 17. It shall be the duty of the clerks of the markets from time to time to visit and examine the several places and premises at which fresh meat is authorized to be sold, and to see that all the ordinances relating to the sale of meat are stricty enforced.

§ 18. The sum of one hundred dollars shall be paid for each license granted to sell fresh meats in stalls or stands other than the public markets, in all that part of the city of Buffalo as it existed prior to the first of January, 1854. No fresh meat shall be peddled in the city of Buffalo, as the same existed prior to the first of January, 1854, except beef by the quarter, hogs, calves, sheep, and lambs by the carcass, under the penalty of thirty dollars for each offence, Ten dollars shall be paid for each license to peddle beef by the quarter, hogs, calves, sheep, and lambs by the carcass in that part of the city last mentioned. Fifteen dollars shall be paid for each license to sell fresh meat in stands or stores in that part of the city annexed by the act of 1853. Twenty-five dollars shall be paid for each license to peddle fresh meats in that part of the city last mentioned. No license shall be granted to sell fresh meat, except fresh pork, outside of and within three thousand feet of the public markets. Licenses shall expire on the first day of May in each

year, unless sooner revoked by the Council, or annulled under the provisions of the Charter. No licenses shall be granted under the provisions of this ordinance after the first day of July in each year.

§ 19. Every person applying for a license shall, at the time of receiving the same, execute to the city a bond in the penal sum of one hundrad dollars, with one or more sureties, conditioned that he will observe all the ordinances relative to the sale of meat, and pay the fines or penalties imposed for a violation of said ordinances.

§ 20. Nothing herein contained, except the provisions of sections 6, 28, and 29, shall be construed to prohibit any farmer or other person who shall have actually raised the animal whose carcass he may expose for sale, from selling or offering for sale the same at any place within the bounds of the city, by the careass or quarters.

§ 21. No person shall place, or cause to be placed in or about any market or place designated for the sale of meat, any calf, sheep, lamb, or other animal, with its legs tied, nor shall any person tie such animal in or about any such market or place so designated, under the penalty of five dollars for each and every offence; nor shall any person tie or cause to be tied, any calf, sheep, lamb or other animal, except horses, to any fence, post, tree or other thing, in or about any market or place designated for the sale of meat, under the penalty of ten dollars for each and every offence.

§22. It shall not be lawful for any butcher to sell or offer for sale any fresh or butcher's meat, in this city, without first having obtained a license so to do, under a penalty of twenty-five dollars for each and every offence.

§ 23. It shall not be lawful for any butcher to expose for sale any fresh or butcher's meat, at any place within this city, except at the public markets, and at such other place as the Council may appoint, under the penalty of fifty dollars for each and every offence.

§ 24. No butcher or other person licensed to sell fresh meat shall expose for sale any fresh meat on Sunday, within the city, under the penalty of twenty-five dollars for each and every offence.

§ 25. It shall be the duty of the clerk of the markets to assign and set apart certain portions of the market grounds, near the public markets, for the purpose of exposing for sale and selling garden and farm produce, and other products of farms and gardens; and no person shall expose for sale or sell any garden or farm products, or other thing whatsoever, in any street in this city other than in the place or places so assigned and set apart by the said clerk, under the penalty of ten dollars for each and every offence.

§ 26. No person shall sell, or expose for sale any poultry, eggs, cheese or butter, or any garden or farm produce whatsoever, in any public market, or in any other stores, shops, or stands, or in any place in said city, except the same shall have been raised on the farm of such person, or unless such person shall have been himself, or herself, into the country, beyond the city limits, and there purchased the same from the farmer or gardener who raised the same, or except the same shall have been purchased in the city of Buffalo, after nine o'clock in the forenoon, under the penalty of ten dollars for each offence.

§ 27. No provisions, country produce or other article which shall have been sold or bargained for in any manuer, before nine o'clock in the forenoon of the day of its arrival in the city of Buffalo, shall be exposed for sale or sold in any of the public markets in said city or the grounds contiguous thereto, under the penalty of ten dollars for each offence.

§ 28. No person shall offer or expose for sale within the limits of the city of Buffalo, any fresh meat, being the carcass or any part of the carcass of any calf, which shall have been less than four weeks old at the time when it was killed, and no person shall offer for sale within the said limits any calf, living or otherwise, which shall be less than four weeks old at the time of so offering the same for sale. Any violations of this provisions shall be punished by a fine of twenty-five dollars for each and every offence. Any such meat so offered or exposed for sale, shall without delay, upon the view of the clerk of the market, be by him seized and destroyed.

§ 29. No person shall sell, offer or expose for sale, in the city of Buffalo, any bruised or diseased cow, heifer, ox, steer, bullock, hog, sheep, lamb or calf, under a penalty of twenty-five dollars for each and every offence.

§ 30. Upon application to the Common Council, any person or persons may receive a license to peddle fresh meat and fish within the territory mentioned and specified in sections ten and eleven of title twelve of the charter of the city of Buffalo, upon the payment of a sum to be fixed by the common council, of not less than ten nor more than twenty-five dollars for such licenses, and executing a bond to the city, in the penal sum of one hundred dollars, with sufficient sureties, conditioned that the person or persons receiving the same shall observe all the ordinances of the city relative to the sale of meat and fish. But such license shall not authorize such person or persons to sell or peddle meat or fish in any part of the city not included in the territory above specified.

§ 31. No person shall sell or expose for sale in the said city the carcass of any turkey or turkeys, chicken or chickens, duck or ducks, goose or geese, until the entrails, crops and heads are taken therefrom, under a penalty of ten dollars for each and every offence.

§ 32. No person shall sell within the city of Buffalo, or expose for sale, any wilted, stale, decayed, rotten, fermented or unwholesome vegetables, fruit, garden or farm produce of any kind, under a penalty of ten dollars for each and every offence.

§ 33 It shall be the duty of any member of the Board of Health to order the person or persons in whose charge or custody any of the articles mentioned in the preceding section shall be found, to cause the same to be removed and destroyed; and any persons who shall after being so notified by such Commissioner, refuse to obey such order, or who shall sell or expose for sale such articles, shall forfeit and pay the sum of fifty dollars for each and every offence

§ 34. Penalties incurred for the violation of any of the provisions of this chapter, may be sued for in the name of the city of Buffalo, and recovered with costs before any Justice of the Peace in and for said city.

Referred to the Committee of the Whole and ordered printed.

Also, in favor of allowing the account of Peter Christiansen, for services as porter in Washington Market in

January—amount $7 77—and of drawing an order for same. Adopted.

Ald. Allen, from the Committee on Wharves, Harbors and Ferries, reported the following chapters of ordinances, as revised by said committee:

CHAPTER VII.

OF THE REGULATIONS OF THE HARBOR.

§ 1. The Harbor Masters are hereby authorised and directed to give such orders and directions as they shall deem just and proper, relative to the location and change of station of every steamboat, or other craft, or vessel, or float, in the harbor of Buffalo; and every captain, master, owner, consignee, or person having in charge any steamboat, vessel, or other craft, or float, neglecting or refusing to comply with any such orders or directions, shall forfeit and pay the sum of twenty-five dollars for every such neglect or refusal, and such penalty shall be a charge upon the steamboat, canal boat, or other vessel, craft or float, the captain, master, owner, consignee, or person in charge of which, is liable therefor. And if any such steamboat, or other craft or vessel, shall not be in the charge of any person, the harbor master may remove said steamboat; or other craft or vessel, to any station in the waters of the Big Buffalo Creek, that, in his opinion, will best promote the interest of those doing business in or about the harbor.

§ 2. No person shall cast or deposit, or suffer to be cast or deposited, in the harbor, canals, slips or basins in this city, any earth, ashes or other heavy substances, filth, logs or floating matter, or any obstructions, under the penalty of twenty-five dollars for each and every offence, and twenty-five dollars for every day the same shall be suffered to remain therein.

§ 3. No person shall unload any boat or vessel at or on any of the public wharves or docks in this city, or otherwise place or deposit on any such wharf or dock, any stone, lumber, timber or firewood, or other material, without permission from the Harbor Master, under the penalty of ten dollars for each and every offence.

§ 4. All steamboats, ships, brigs and other vessels, while lying in Buffalo harbor, shall have their anchors kept in board, upon deck, and their lower yards cockbilled, and their upper yards braced up sharp.

§ 5. All steamboats coming in or going out of the harbor shall be moved under a low head of steam, and slowly, so as not to endanger other crafts in port.

§ 6. All steamboats, ships, brigs, canal boats, or other vessels, shall have kept outboard during the night time, a conspicuous light; and shall have extinguished, or secured safely at dark, all fires that may be kept on board.

§ 7. Any person or persons, owner or officer of any steamboat, or other craft, or vessel or float, violating either of the last three sections, shall forfeit for the use of the city of Buffalo, the penalty of one hundred dollars for each and every offence.

§ 8. Any owner, master, or other person, having in charge any steamboat, or other vessel, or craft, or float, who shall anchor or otherwise fasten, or permit to be anchored or fastened, any such steamboat or other vessel, craft, or float, in the waters of the Big Buffalo Creek, or any of the public waters connected therewith, when the same shall obstruct the passage of any other steamboat or other vessel, craft or float, coming into or going out of the said Buffalo Harbor, shall forfeit the penalty of fifty dollars for each and every offence.

§ 9. Not more than two sail vessels or propellers, or more than one steamboat and one vessel, or one vessel and two canal boats, nor more than three canal boats, shall at any time during the season of navigation, lay abreast or alongside each other, on either side of Big Buffalo Creek within the city, at any point except that portion of said creek commencing at the mouth of the city canal, and running thence south 800 feet, within which portion of said creek on the west side, not more than one steamboat, propeller, vessel, canal boat or other craft shall at any time during the season of navigation, lay abreast or alongside; and every violation of any of the above provisions shall be subject to a penalty of fifty dollars for each and every offence, and a further penalty of fifty dollars for each hour any such vessel, propeller, steamboat or other craft shall so lie, after being ordered to remove by a harbor master; and to the end that the channel may at all times be kept open, allowing a free and unobstructed passage in and out of the harbor, no boat, vessel, propeller, steamboat, canal boat or any other craft, shall at any time lay in the channel of the said creek, between the point where the Buffalo and Hamburgh Turnpike Company's toll bridge crosses said creek, and the mouth of the harbor, for any purpose whatever; nor shall they lie on either side of said channel between the points aforesaid, during the season of navigation, without the written permission of a harbor master, except while receiving and discharging their cargoes, under a penalty of fifty dollars for every hour they shall so lie after being ordered by a harbor master to remove; and the penalties imposed by this section shall be a charge upon the steamboat, canal boat, propeller, vessel, craft or float violating this ordinance, and the captain, master, owner, consignee or person in charge thereof, shall be liable therefor.

§ 10. No steam vessel, while lying in Buffalo harbor, or along the wharves or docks of this city, shall work their engines to exceed fifteen minutes previous to leaving the harbor, without permission of the harbor master, under the penalty of ten dollars for each and every offence.

§ 11. No person shall cast or deposit, or suffer to be cast or deposited, any earth or ashes in the waters of Lake Erie or Niagara River, at any place within the city of Buffalo, south or west of the southerly end of the breakwater lying west of the Erie Basin, under the penalty of fifty dollars for each and every offence.

§ 12. The harbor masters of the city of Buffalo are hereby invested with the powers and authorities given by the city ordinances to appointed fire wardens.

§ 13. Penalties incurred for the violation of this chapter may be sued for and recovered, with costs, before any Justice of the Peace in and for said city.

CHAPTER VIII.

OF FERRIES.

§ 1. Every license for keeping and maintaining a ferry, shall continue in force for a term to be fixed by the Common Council, not exceeding twenty years next after the same is granted.

§ 2. The right to operate any ferry either within the city of Buffalo and across the Niagara River, shall be let to such party or parties as the Common Council may determine, and at such rate of ferriage, as shall be fixed by the said Common Council.

§ 3. Every person or persons, bidding for such license, shall, upon the granting of the same, and before the same shall take effect, execute a bond with two sufficient sureties, to the city of Buffalo, in a sum to be fixed by the Common Council, with a condition that the grantee or grantees will faithfully keep, maintain, and attend such ferry, with such and so many and safe and seaworthy boats, propellers, or steamers, as shall be deemed necessary, together with sufficient implements for the same, to be kept open and running at such times and during such hours of the day and night, and at such rates, tolls and ferriage, as the Common Council shall from time to time prescribe; and that he or they will pay to the city treasurer all such sums of money, as shall be required to be paid, as a condition of such grant, in the manner and at the times directed by the common council; which bond, when executed and approved by the mayor, shall be filed with the comptroller.

§ 4. Every order or resolution granting such license, shall fix the amount to be paid to the city for such grant, and the time and manner of the payment thereof, and fix and set forth in detail, the rates which the grantee or grantees shall be permitted to charge for tolls or ferriage.

§ 5. All licenses for ferries shall be issued under the corporate seal of the city, and signed by the Mayor and City Clerk, and shall contain a detailed statement of the rates of ferriage as it shall appear in the resolution in order granting such license, and a printed copy of such statement shall be kept posted up in a conspicuous place in the ferry house, if there is one, and in the boats, propellers or steamers, used for such ferry.

§ 6. Every grantee who shall violate any of the conditions of said bond, except otherwise than by a failure to pay the sum agreed to be paid for such grant, or shall demand or receive, or knowingly suffer any person or persons in his or their employ, to demand or receive greater rates, tolls, or ferriage, than those fixed by the Common Council, shall be subject to a penalty of fifty dollars for each and every such offence. On judgment being obtained therefor before any competent court, the grant for such ferry may be revoked.

§ 7. Any person who shall use any ferry for transporting across the Niagara River, or any navigable stream in the city of Buffalo, any person or property for profit or hire, unless duly licensed under the provisions of this chapter, shall forfeit the sum of fifty dollars for every such act.

§ 8. All moneys received under this chapter, either for the grant of ferries, or penalties, or forfeitures recovered for the violation of its provisions, shall be paid to the City Treasurer, to be applied to the support of the common schools in said city.

§ 9. Penalties incurred for a violation of any of the provisions of this chapter, may be sued for and recovered with costs, before any justice of the peace in and for said city.

Referred to the Committee of the Whole and ordered printed.

Ald. Adams, from the Committee on Public Lamps, reported the following chapter of city ordinances, as revised by said committee:

CHAPTER XIX.

OF LAMPS AND LAMP POSTS.

§ 1. Any person who shall carelessly or maliciously break, deface, or in any way injure or destroy any of the public lamps or lamp posts of this city, shall forfeit the penalty of ten dollars for each and every offence, together with the expenses which may be incurred in repairing the injuries committed, and the costs of the suit.

§ 2. Any person who shall light, or cause to be lighted, or put out, or cause to be put out, or who shall turn the stop cock of any of the public lamps of this city, unless duly authorized to do so by the common council, shall forfeit the penalty of ten dollars for each and every offence, together with the costs of suit.

§ 3. Any person who shall hang or place any goods or merchandise of any description, on any of the public lamps or lamp posts of this city, for the purpose of exhibition or sale, or for any other purpose, or who shall place any goods, boxes, wood, or other heavy material upon or against the same, shall forfeit the penalty of five dollars for each and every offence, together with the costs of suit.

§ 4. Any person who shall climb upon, or hitch any horse or horses, or any other animal, to any of the public lamp posts in this city, shall forfeit the penalty of five dollars for each and every offence, together with the costs of suit.

§ 5. All the fines collected for the violation of the foregoing sections of this ordinance, shall be paid into the city treasury, and be placed to the credit of the lamp district fund.

Referred to the Committee of the Whole and ordered printed.

Also, reported in favor of the adoption of the following resolutions:

That it is hereby ordered and determined by the Common Council of the City of Buffalo, that the Lamp District be, and the same is hereby extended on both sides of Allen street, from Delaware street to Bowery street, and on both sides of Bowery street from Allen street to a point 527½ feet northerly from said Allen street; and the Committee on Public Lamps are hereby directed to cause the necessary service-pipe, &c., to be laid in said extended district, and one lamp-post and lamp to be set at the northeast corner of Bowery and Allen streets, and one on the southwesterly side of Bowery street, 350 feet northerly from said Allen street. Adopted. Ayes 20; Noes 0.

That it is hereby ordered and determined that the amount necessary to be raised by local assessment to defray one-half of the expense of lighting the Lamp District, and all other expenses of maintaining the same for the year 1861, shall be $21,950 00; and the City Assessors are hereby authorised and directed to assess that sum upon all the taxable property in the said Lamp District, as the same existed on the 1st day of April, 1861, as provided by law. Adopted.

Ald. Russell, from the Committee on License, reported the following chapters of the City ordinances as revised by said Committee:

CHAPTER IV.

OF THE SALE OF FISH.

§ 1. It shall not be lawful for any person to sell or expose for sale in this city, any fresh fish, between the first day of April and the fifteenth day of November, who shall not have obtained a license so to do, under the penalty of two dollars for each and every offence.

§ 2. It shall not be lawful for any person to sell or offer for sale in this city, between the first day of April and the fifteenth day of November, in any year, any fresh fish at any other place than that designated in his license, under the penalty of five dollars for each and every offence.

§ 3. The last two sections shall not be construed to prohibit the sale of fish by any fisherman or person, to any person licensed pursuant to the first section, within two hours after the same shall have been brought to the city.

§ 4. Every stall or stand, and the space owned, used or occupied by any person for the purpose of exposing fish for sale, shall be kept clean, under the penalty of five dollars for every neglect.

§ 5. It shall not be lawful for any person who shall receive a license, as provided in section one of this chapter, to throw, place or deposit any spoiled fish, or the head or entrails of fish, in any street, alley, lane, or vacant lot in this city, under the penalty of five dollars for each and every offence.

CHAPTER VI.

OF EXCISE.

§ 1. No person shall sell, or give way any ardent spirits or other intoxicating liquors to any child, apprentice or servant, without the consent of his or her parents or guardians, master or mistress, or to any Indian, under the penalty of ten dollars for each and every offence.

§ 2. No license shall be granted to any minor nor alien to keep a victualling house or ordinary in the city of Buffalo, unless such license be granted by a vote of two-thirds of the Aldermen elected.

Referred to the Committee of the Whole and ordered printed.

Ald. Savage, from the Committee on Sanitary Measures, reported in favor of allowing the following accounts and drawing orders for same, viz:

John Maurer, for services as Health Inspector in January—$31 50.

Geo. J. Reinhardt, for same from January 22d to February 28th, inclusive—$57 00.

John Elliott, for same for February—$42 00.

Adam Karn, for removing dead animals from streets in December, 1860—$41.

F. Schickendantz, for keeping Pest House in December, 1860—$19 29.

Adam Karn, for abating nuisance on ground on south side of Seneca street, 50 by 132 feet, and commencing 75 feet west from Alabama street—$15 00.

C. C. Wyckoff, for vaccinnations by order of Board of Health in 1860—$200 00. Adopted.

Ald. Crowder, from the Committee on New Territory, reported in favor of the adoption of the following resolutions:

That the owners of the land, on the northeast side of Fourteenth street, between Vermont and Rhode Island streets, cause a sidewalk to be constructed, four feet wide, of good hemlock plank, three inches thick, where a good walk is not already constructed, within ten days after the service of this order, and if not constructed within that time, that the Street Commissioner cause the same to be done, at an expense not exceeding $96, and report. Adopted.

That the Street Commissioner cause the wood culvert across Tenth street, on the southeasterly side of Massachusetts street, to be repaired, at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause the wood culvert acsoss Tenth street, on the northwesterly side of Massachusetts street to be repaired, at an expense not to exceed $8, and report. Adopted.

That the Street Commissioner cause the wood culvert across Niagara street, between Austin and Farmer streets to be repaired, at an expense not to exceed $25 and report. Adopted.

That the owners of land, on the easterly side of Niagara street, at the junction of Bidwell, DeForest, and Bird streets, cause a sidewalk to be constructed, (where not already constructed,) on both sides of said streets, between the easterly curbing and sidewalk superstructure of Niagara street, four feet wide, of good pine plank, 2 inches thick, within 5 days, and if not completed within that time, that the Street Comm'ssioner cause the same to be done at an expense not exceeding $10, for each street above named, and report. Adopted.

That the owners of land, on the easterly side of Niagara street, at the junction of Auburn, Bouck, Clinton, and Forest avenues, cause a sidewalk to be constructed, (where not already constructed,) on both sides of said avenues, between the easterly curbing and sidewalk superstructure of Niagara street, 4 feet wide, of good pine plank, 2 inches thick, within 5 days after service of this order, and in case the same is not completed within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $10, for each avenue above named, and report. Adopted.

That the owners of the land on the easterly side of Niagara street, at the junction of Rhode Island, Massachusetts, Hampshire, Ninth, Albany, Ferry and Breckenridge streets, cause a sidewalk to be constructed, (where not already constructed,) on both sides of said streets, between the easterly curbing andsidewalk superstructure of Niagara street, 4 feet wide, of good pine plank, 2 inches thick, within 5 days after notice of this order, and if not done within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $10, for each street, above named, and report. Adopted.

SPECIAL COMMITTEES.

Ald. Felton, from the Special Committee on the subject of revising the ordinances, reported the following chapter of city ordinances as revised by said Committee:

CHAPTER XIV.

OF RESTRAINING ANIMALS FROM RUNNING AT LARGE.

§ 1. No horse, sheep, goat, swine, cows, or cattle shall be permitted to run at large at any time in this city, under a penalty of five dollars for each and every offence, to be recovered of the owner thereof, one-half of the penalty to be paid to the informer when collected and paid into the Treasury.

§ 2. Every person residing in the city of Buffalo, owning or having in his possession any dog or bitch, shall be assessed, and pay for the same, the following taxes: for every dog, the sum of one dollar per annum; for every bitch, five dollars per annum; to be assessed and collected in the same manner as upon personal property in said city.

§ 3. From and after the passage of this ordinance, it shall not be lawful for any dog to go at large in the city of Buffalo, except under the following restrictions: that is to say, every dog going at large within the said city shall have around its neck a collar of metal, or a collar of leather, with a metal plate, on which metal collar or plate shall be inscribed the name of the owner of such dog, and his or her place of residence; also, that each and every dog so going at large shall have securely put on, a good strong, substantial, and safe muzzle, so as effectually to prevent said dog from biting or snapping; and the owner or owners of any dog found running at large contrary to the provisions of this section shall forfeit and pay the sum of five dollars for each and every offence, and half the penalty to be paid to the informer, when collected and paid into the city Treasury.

§ 4. The Mayor is hereby authorized to appoint as many persons as he may deem necessary, whose duty it shall be to carry the foregoing section of this ordinance into strict effect, by causing all dogs found running at large in the city of Buffalo to be taken up, killed, and buried, when not within the exceptions of the foregoing section.

§ 5. If any dog shall hereafter be found within any of the market houses or public squares in this city, the owner or person having charge thereof shall forfeit and pay the sum of five dollars for each offence, to be sued for and recovered with costs, one-half of the penalty to be paid to the informer.

§ 6. It shall be lawful for any person to kill any dog or bitch found running at large in this city, contrary to section third of this chapter.

It shall be lawful for any person to kill any goose or geese running at large in this city.

§ 7. There shall be appointed by the Common Council one or more pound-keepers in and for this city, each of whom shall furnish and maintain without expense or charge to the city, a proper and sufficient enclosed yard for public pounds, and the yards so furnished shall be designated by the Common Council the public pounds in and for the city. Each of the persons so appointed, before entering upon the duties of his office, shall enter into bonds to the city, with at least one good and sufficient surety, to be approved of by the Common Council or the Mayor, in the penal sum of two hundred dollars, conditioned for the faithful performance of his duty.

§ 8. It shall be the duty of each of the pound-keepers holding office at any time hereafter in this city to employ and direct suitable persons to distrain for the penalty imposed by the first section of this chapter, and drive, or convey, to a public pound all animals found running at large, at any time, in this city, contrary to the provisions of said first section; and such person or persons shall be entitled to charge and receive, for every animal so distrained and delivered to the pound-keeper at a public pound, the sum of twenty-five cents, which shall be paid by the pound-keeper to the person or persons so entitled thereto, at the time such animal shall be so received by him.

§ 9. It shall be the duty of any pound keeper to receive and keep in a public pound all animals delivered to him to be impounded, by any person or persons so employed by any pound keeper for that purpose, (unless the same shall sooner be replevied according to law) until such animal shall be redeemed or sold as in this chapter provided. And he shall enter in a book to be kept for that purpose, the name of the person or persons who delivered such animals, the day such animal was received by him, and the description, color, and marks, natural and artificial, of such animals, which book shall, at all times, be open to the inspection of all persons who shall desire to examine the same. The pound keeper shall be entitled to charge and receive for every animal which he shall, as aforesaid, receive into the public pound a fee of twenty-five cents; also twenty-five cents, being the sum paid by the pound keeper at the time the animal was received into the public pound, to the person or persons who delivered the animal to the pound keeper: and for every twenty-four hours such animal shall remain in the pound, he shall receive twenty-five cents for the keeping of such animal, and that rate for any less time.

§ 10. If the owner or owners of any animal impounded as in this chapter provided, or their legal representatives, shall not redeem the same within six days from the time such animal shall be received into the public pounds, by paying to the poundkeeper the penalty of five dollars mentioned in the first section of this chapter, and incurred by the running at large of such animal, for the use of the city; also, twenty-five cents, being the sum paid by the poundkeeper at the time the animal was received into the public pound, to the person or persons who delivered the animal to the poundkeeper, together with all other fees and charges which the poundkeeper shall be entitled to under this chapter, and which shall have accrued at the time of such redemption, then the poundkeeper shall advertise such animal for sale at public auction, at the public pound, by posting a notice of such sale at the pound and at the liberty-pole, at least twenty-four hours prior to such sale, which notice shall specify the hour of sale, and the description, color, and marks, natural and artificial, of such animal so to be sold. The poundkeeper shall be entitled to charge and receive for advertising every animal for sale twenty-five cents. At the time and place specified in the notice of sale, the poundkeeper shall proceed to sell such animal to the highest bidder, and, out of the proceeds of such sale, he shall be entitled to retain five per cent. upon the amount paid for his fees for selling, together with all other fees and charges authorized to be charged and retained by him in this chapter. *Provided*, that the owner or owners of any animal impounded as in this chapter provided, or their legal representatives, may redeem the same at any time before sale, in the manner in this section above mentioned, and upon such redemption the poundkeeper shall forthwith deliver the animal so redeemed to the owner or owners thereof, or their legal representatives.

§ 11. It shall be the duty of the pound-keeper, once in four weeks, to report to the common council the number of animals received into and discharged from the public pound during the four weeks next preceding the date of such report, and which report shall state the day when each animal was so received, and when each was discharged, and whether the same was replevied, redeemed, or sold, and if redeemed, how much was received by him on account of such animal, and the name of the person from whom it was received, and if sold, how much was paid therefor, the name of the purchaser, and the amount of the pound-keeper's charges thereon, and the balance, if any, remaining over and above such charges;

which balance, if any, shall, at the time of making such report, be paid into the city treasury by the pound-keeper.

§ 12. The common council, upon the application of the owner or owners of any animals sold, as in this chapter provided, or his or their legal representatives, within one year from the day of such sale, on due proof, by affidavits, of such ownership, shall order the amount paid into the treasury from the proceeds of such sale, less five per cent. upon the amount so to be paid for treasurer's fees for receiving and paying out such money, and five dollars, the penalty for which such animal was distrained, to be paid by the city treasurer to such owner or owners, or their legal representatives.

§ 13. Any person who shall w lfully break the public pound shall forfeit and pay to the pound-keeper, a penalty equal to three times the actual damage caused by such breaking; and any person who shall rescue, or assist, or be engaged in the rescue of any animal impounded, as in this chapter provided, or taken up, or being driven, or conveyed so to be impounded, and any person who shall wilfully hinder or molest any person engaged, as in this chapter. provided, in distraining, taking up, driving, or conveying any animal so to be impounded, shall forfeit and pay to this city the penalty of ten dollars for each and every offence.

§ 14. Nothing in this chapter contained shall be deemed or construed to g.ve the pound-keeper any right to receive or recover any thing from the city, on account of any services or any charges in this chapter required or allowed; and in case of the sale of any animal, as in this chapter provided, the pound-keeper shall not receive any thing on account of such animal beyond the price which shall be paid for such animal on such sale.

§ 15. No person shall expose for sale, or exhibit in any of the public streets, lawns or squares of the city of Buffalo, any horse, sheep, fowl, swine, ox, cow, calf, or cattle of description, under the penalty of five dollars for each and every offence, to be recovered of the owner of such animal, or of the person exposing for sale, or exhibiting the same.

§ 16. Any person or persons who shall drive, or lead any swine, horse, sheep, goat, or cattle, upon or along, and lengthways thereupon, any sidewalk within the city of Buffalo, shall forfeit and pay to the said city, a penalty of five dollars for each and every offence.

§ 17. Penalties incurred for the violation of any of the provisions of this chapter, may be sued for in the name of the city of Buffalo, and recovered with costs before any Justice of the Peace, in and for said city.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Felton,—That the following section be incorporated into Chapter 22 of Ordinances reported by School Committee, April 1st, printed and referred to the Committee of the Whole:

§ 56. It shall be the duty of the Superintendent of Schools to visit each of the public schools at least twice during each term, and shall spend at least one half day on such visitation, in each school having one department, and in each school having two or more departments it shall be his duty to spend at least one whole day for such visitation at each time, and he shall also keep a record of the time of visiting each school, and at the close of each term shall report to the Council the time of visiting each school and the time spent in each school on such visitation. Adopted.

By Ald. Hanovan,—That the Comptroller be and he is hereby directed to tender to Orlando Allen the amount of award made to him for taking land to open Perry street, and in case said Allen refuses to receive said award the Comptroller make such disposition of the award as the City Charter directs. Adopted.

The resolutions remaining on the Clerk's desk at the adjournment of the Council, were by him referred to their appropriate Committees, as follows:

That shade trees, &c., be set out in school lot No. 20.

That the sewer and receiver at north east corner of Mohawk and Morgan streets, be repaired.

That the sewer and receiver at north east corner of Chippewa and Pearl streets, be reconstructed. Referred to Committee on Sewers.

That the sidewalk on southeast side of Lloyd street, between Canal and Prime streets, be reconstructed.

That a sidewalk be repaired on the southerly side of Walnut street, between Sycamore and Genesee streets.

That a sidewalk be repaired on the southerly side of Carroll street, between Michigan and Chicago streets.

That a sidewalk on the northerly side of Carroll street, between Michigan and Chicago streets, be repaired.

That a sidewalk be constructed across Pratt street, on the north side of William street.

That a crosswalk be constructed across Burton alley, on east side of Weavers alley.

That a crosswalk be constructed on the west side of Carolina street, across Tupper street.

That the owners of land on the east side of Hickory street, between William and Batavia streets, cause a sidewalk repaired. Referred to Committee on Side and Cross Walks.

That the Fire Marshal prepare plan &c., for barn on the premises of Hose Co. No. 3.

That three Engineers of the Fire Department are at present sufficient.

That permission to move or erect a wooden building will not be granted without reference to the Fire Committee.

That the Fire Marshal purchase six horses for use of Fire Department. Referred to Committee on Fire.

That licenses for stalls outside the markets be fixed at $30. Referred to Committee on Markets.

That a stone sidewalk be constructed in front of market grounds on Amherst street.

That a stone crosswalk be constructed across Dearborn street, on southerly side of Amherst street.

That the action of the Street Commissioner in causing obstructions removed from Delaware street be approved.

That the City Surveyor survey Ferry street, from Delaware street to the Niagara River.

That the owners of the land on the westerly side of Gray street, between Genesee and Batavia streets, cause a sidewalk repaired.

That the Street Commissioner cause a wood culvert reconstructed across Sumner street, on the easterly side of Rogers' street. Referred to Committee on New Territory.

That when the Young Men's Association shall secure subscriptions to the amount of $10,000, towards the erection of a library building, this Council will deed the Mohawk Street Market lot to the Grosvenor Library and Young Men's Association. Referred to Special Committee on Grosvenor Library.

The Common Council adjourned to meet next Monday afternoon, April 15th, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 15.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, April 15th, 1861,
at 2 o'clock, P. M.

Present.—Ald. Adams, Allen, Beckwith, Brush, Crowder, Dorr, Felton Grass, Hanovan, Howard, Howell, Jones, Mills, Russell, Rutter, Savage, Scheu, Schwartz, Storck and Yaw.

Absent—Aldermen Bemis, Goembel, Palmer, Pratt, Walsh and Wheeler.

In the absence of the President, Ald. Howard was called to the chair.

The minutes of the last meeting were approved.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

Gentlemen—I herewith submit to your honorable body a statement of the condition of the various local funds in the several school districts of the city, at this date:

School Dist.	Debit Bal.	Credit Bal.	Liabilities.	Amt. to be raised.
No. 1	....	$535 09	.....	....
2	....	1,299 53	.....	....
3	....	126 83	.....	....
4	....	296 09	.....	....
5	....	1,005 39	.....	....
6	....	329 89	.....	$500
7	....	495 47	.....	....
8	....	324 05	.....	....
10	....	506 28	.....	....
11	....	629 13	.....	....
12	....	712 54	.....	....
13	....	2,544 32	.....	....
14	....	156 00	.....	....
15	....	111 29	.....	500
16	81	.....	.....	500
17	....	106 35	.....	....
18	....	48 92	.....	300
19	....	1,604 20	Bond for $1,500, interest $52 50, due May 19, 1861.	500
20	$4 75	.....	.....	500
21	....	2,6 72	.....	...
22	....	68 97	.....	....
23	....	197 93	.....	....
24	....	81 56	.....	300
25	....	198 02	.....	....
26	....	222 52	.....	....
27	....	68 62	.....	....
28	....	343 01	.....	....
29	....	50 93	.....	....
30	....	187 10	.....	....
31	....	3,126 39	Bond for $3,000, without int., due Oct 31, 1861.	....
32	....	5,189 13	Bond for $3,900, interest $136 50, due May 19, 1861	....
33	....	161 06	Bond for $2,660, and int. from Dec. 9, 1860.	3000

I would recommend that you order assessments and taxes to be levied in the respective school districts named above, where I have estimated the several sums necessary in the last column of the foregoing schedule, upon the taxable property of said several districts respectively, in accordance with the several amounts as stated.

Respectfully,
ALONZO TANNER, Comptroller.

Filed, and subject matter referred to Committee on Schools.

FURTHER FROM THE COMPTROLLER.

Gentlemen—I respectfully report that the following named sums will be required to pay interest falling due on the 1st proximo, viz:

On $55,000, 6 per cent. bonds, issued May 1, 1853, payable at the city of New York, interest	$1,650 00
On $30,000, 7 per cent. bonds, issued May 1, 1853, payable at this office, interest	1,050 00
Commission to Duncan, Sherman & Co., ¼ per cent	4 13
Premium on draft, ¼ per cent	4 14
Total	$2,708 27

It is recommended that orders be drawn in my favor upon the general fund for 1861, estimate for interest on the funded debt, for the above amount, for the payment of such interest.

Respectfully,
ALONZO TANNER, Comptroller.

Filed and orders directed to be drawn.

FURTHER FROM THE COMPTROLLER.

Gentlemen—In compliance with the requirements of Section 14 of Title 5 of the City Charter, I have caused a list of the lands returned to this office for non-payment of taxes and assessments upon the general tax rolls for 1860, and remaining unpaid, to be published in pamphlet form, and have designated Saturday, the 1st day of June next, as the day of sale.

By Section 10 of the act of 1858, amending the City Charter, the Common Council is required "to cause al tax sales to be published in the official paper of the city."

It is recommended that you adopt a resolution directing such publication.

Respectfully,
ALONZO TANNER, Comptroller.

Received and placed on file.

Whereupon, Ald. Howard offered the following:

Resolved, That the City Comptroller be and he is hereby directed to cause a list of the lands returned to his office, for the non-payment of the taxes and assessments upon the general tax rolls for 1860, and required by law to be published once a week for three successive weeks

in the official paper of the city, giving notice of the time and place of sale, the first publication to be at least twenty days before the day of sale. Adopted.

FROM THE FIRE MARSHAL.

Gentlemen,—By direction of your honorable body, I advertised for proposals to build a barn on Huron St. I now respectfully report the following bids: James Harradan, $375; F. Scheifer, $450; A. B. Rowe, $330; Henry Swartz, $380; D. W. Waterman, $448; William I. Williams, $372; A. M. Umlauf, $438: T. M. Donough, $365.

D. KISSOCK, Fire Marshal.

Filed, and subject matter referred to the Committee on Fire, with power to contract with such bidder as in their opinion will be for the best interest of the city.

FURTHER FROM THE FIRE MARSHAL.

Gentlemen,—The walls of a brick building on the westerly side of Washington, between Perry and Scott Streets, are in a very dangerous condition, and should have immediate attention. I have notified the owner's agent.

D. KISSOCK, Fire Marshal.

Referred to the Committee on Fire.

The City Clerk reported the amount due to Peter Hurbts, for salary as City Scavenger to April 1st. Filed, and order directed to be drawn.

FROM THE COMMISSIONERS OF THE FIRE DEPARTMENT.

To the Hon. the Common Council:

The Commissioners of the Fire Department respectfully report:—That complaint having been made against Hook & Ladder Company No. 2, charging members of said company with destroying property at the fire corner of Main and Genesee streets, on the 1st of April inst., said company were summoned before this Board, and the charge investigated, on the 9th inst. And after investigation and hearing the complainant and the witnesses called in the matter, it was unanimously resolved by the Board, that the charges were not sustained by the evidence, and that the complaint be dismissed.

Dated Buffalo, April 15, 1861.

By order of the Board.

GEO. JONES, Chairman.

Received and placed on file.

Assessment roll No. 2380. For constructing a receiving sewer from a point on the east side of Niagara street, opposite the centre line of Sloan street, across Niagara street and through the centre of Sloan street to the Erie Canal—$205. The time for the consideration of which and the objections thereto had been fixed for to-day, was taken up and opportunity given to parties interested to be heard, and no person appearing to object to the confirmation of said roll,

Ald. Howell moved that said roll be confirmed. Carried.

Assessment roll No. 2376 For the purpose of paying the just compensation awarded to the person or persons owning or having an interest in the land and property taken to lay out Carlton street, from the easterly line of Main street to the northwesterly line of Genesee street together with the costs and expenses of the ascertainment—$3,578 67. The time for the consideration of which and of the objections thereto had been postponed until to day, was taken up, and opportunity given to parties interested to be heard.

E. Thayer and F. E. Cornwell, as attorneys for parties interested, addressed the Council, the former in opposition to the confirmation of said assessment, and the latter in favor of the confirmation of the same.

Ald. Howell moved that said assessment roll be confirmed.

Ald. Beckwith moved that the further consideration of the said assessment, and of the objections thereto, be postponed for three weeks. Carried.

PETITIONS.

Of M. Clor and others, to have obstructions removed from Carey street.

Of sundry persons, to have Colton street graded.

Of James M'Gean and others, to have Cedar street paved, between Batavia and William. Referred to Committe on Streets.

Of F. Aug. Georger and others, to have sidewalks flagged in front of Nos. 396 and 398 Main street.

Of D Shoop, to have the sidewalk repaired on west side of Cedar street, between Batavia and William streets.—Referred to Committee on Side and Cross Walks.

Of John C. Miller & Co., for permission to erect two wooden buildings, 80x40 feet and one story high, at south-westerly corner of Perry and Chicago streets.

Of Albert Ziegle, to have chimney heightened and straightened.

Of John Hanley, for permission to erect a wooden cottage 20x30 feet on Perry street, 200 feet westerly from Chicago street. Referred to Committee on Fire.

Of J. Collamer and others, to have Lamp District extended on Rock street.

Of N. K. Hopkins and others, to have Lamp District extended on Bryant street and Linwood Avenue. Referred to Committee on Public Lamps.

Of Wm. Hughes, for a license to sell fresh meat. Referred to Committee on License.

Of Samuel Swartz, for an order on the fund for constructing a bridge across Scajaquada Creek.

Of A. Curry and others, for the construction of a Receiving Sewer in Parish street, from Niagara to Tonawanda streets.

Of J. Stellwagen and others, for the construction of a plank road in Niagara street, from Hamilton street to Cornelius' Creek Bridge.

Of A. A. Justin and others, to have Niagara street graded, curbed and paved from Amherst to Hamilton streets. Referred to Committee on New Territory.

Of Heinrich Gottschalk, for a fireman's certificate. Referred to City Clerk with power.

Of F. Madden and others, for the release of Mrs. J. Taylor from the Penitentiary.

Ald. Felton moved that the prayer of the petition be granted. Carried—Ayes 19; noes 0.

ACCOUNTS REFERRED.

Wesley Emmons, for work and material at School House Nos. 11, 32, 3 and 7.

Valentine Young, for feather dusters for Schools.

Elder & Stearns, for sundries for Schools. Referred to Committee on Schools.

John Scheifer, for services as Street Inspector in January, 1861.

John B. Sewell, for same in February, 1861.

Same, for same in January, 1861.

George Weifenbach, for repairing Exchange street, 50 feet west of Michigan street. Referred to Committee on Streets.

John Wannop, for repairing sewer and receiver on Easterly side of Washington street, between Green street and the Canal.

John Swartz, for repairing sewer and receiver on N. W. corner of Sycamore and Pratt streets.

Same, for repairing sewer and receiver on the S. E. corner of Spring and Sycamore streets.

George Weifenbach, for repairing sewer in Eagle st. at the crossing of Eagle and Ellicott streets. Referred to Committee on Sewers.

Fred. Mensch, for hay and oats for Fire Department.

L. & I. J. White, for repairing axe, &c., for same.

Elder & Stearns, for sundries for same.

De Forrest & Coye, for coal for same.

J H. Carpenter, for harness, &c., for same.

T. M. Ottley, for oats for same.

Paul Ryan, for one horse for same.

F. C. Candee, for nails, &c., for same

David Bell, for repairing steamer C. J. Wells. Referred to Committee on Fire.

P. H. Benler, (two accounts,) for advertising for Assessor's office.

Alonzo Tanner, for disbursements.

Valentine Young, for feather duster for Receiver's office.

Same, for feather duster.

R. P. Greenhalgh for services as Porter to City Buildings in January. Referred to Committee on Claims.

Benjamin Toles, for commitments to the Penetentiary.

N. Wilgus, for paper &c., for Chief's office.

C. Bull, for coal for same. Referred to Committee on Police.

Samuel Caldwell, for whitewashing City Clerk's office.

Jerry Kelf, (2 accounts), for services as Keeper of Court House Park. Referred to Committee on Public Grounds.

Isaac Holloway, for constructing receiver on east side of Niagara street, at end of bridge across Scajaquada Creek.

Same, for same on west side of Niagara street, at end of bridge across Scajaquada Creek.

W. I. Williams for repairing wood culvert across Utica street, on southeast side of Massachusetts street.

Same, repairing wood culvert across Ferry street, between New Hampshire and Massachusetts streets.

Same, repairing wood culvert across Twelfth street, on the southwest side of Massachusetts street. Referred to Committee on New Territory.

REPORTS OF COMMITTEES.

Alb. Howard from the Committee on Finance, reported in favor of the adoption of the following resolutions:

That the Comptroller be directed to include in the Sale of 1861, for the non-payment of taxes, the unpaid taxes on the following named assessments:—

For grading and paving Seventh street, from Hospital to Court street.

For grading and paving Court street, between Morgan and Sixth streets. Adopted.

That upon filing with the Comptroller the petition of Daniel Myers, with the accompanying proofs, in which said Myers asks for a declaration of sale on certificate of tax sale number 1307 of sale of June 23, 1858, on lot on east side of Main street, part of outer lot number 189, lying 376 66-100 feet north of Chippewa street, being 22 feet front by 120 feet deep,—the said Comptroller execute and deliver to said Myers a declaration of sale thereon, in the form prescribed by the charter. Adopted.

That upon filing with the Comptroller the petition of Wm. P. Fisher, with the accompanying proofs, in which he asks for a declaration of sale on Tax Certificate No. 417. of sale of June 23, 1858, on lot on the east side of Sidway St., part of outer lot No. 52, lying 489 feet south of Mackinaw St., being 518 feet front, by 166 feet deep, the said Comptroller execute and deliver to said Fisher, a Declaration of Sale thereon, in the form prescribed by the Charter. Adopted.

That upon filing with the Comptroller the petition of Wm. P. Fisher, with the accompanying proofs, in which said Fisher asks for a Declaration of Sale on Tax Certificate No. 468, of sale of June 23, 1858, on lot on the south side of Carroll St, part of outer lot No. 93, lying 173 feet east of Michigan St., being 82½ feet front by 104 feet deep, the said Comptroller execute and deliver to said Fisher, a Declaration of Sale thereon, in the form prescribed by the City Charter. Adopted.

That upon filing the petition of Wm. P. Fisher, with the accompanying proofs, with the Comptroller, in which said Fisher asks for a declaration of sale on tax certificate No. 538 of sale of June 23d, 1858, on lot on north side of Exchange street, part of outer lot No. 93, lying 173¾ feet east of Michigan street, being 82½ feet front by 104 feet deep, the said Comptroller execute and deliver to Wm. P. Fisher a declaration of sale thereon in the form prescribed by the Charter. Adopted.

That upon filing with the Comptroller the petition of Wm. P. Fisher, with the proofs accompanying the same, in which said Fisher asks for a declaration of sale on tax certificate No. 200, of the sale of June 23d, 1858, on lot on the north side of Main and Hamburgh street Canal, part of outer lot No. 93, lying 173¾ feet east of Michigan street, being 82½ feet front by 156 feet deep; and also on tax certificate No. 3050 of the sale of June 1st, 1859, on lot on the north side of Main and Hamburgh street Canal, part of outer lot No. 93, lying 173¾ feet east of Michigan street, being 82½ feet front by 155 feet deep, the said Comptroller execute and deliver to Wm. P Fisher a declaration of sale on each of the aforesaid certificates in the form prescribed by the Charter. Adopted.

That permission is hereby granted to T. Pinner to withdraw his petition asking for a declaration of sale on tax certificate No. 1241 of sale of June 23d 1858. Adopted.

That upon filing with the Comptroller, with the accompanying proofs, the petition of O. H. Marshall, in which he asks for a Declaration of Sale, on Tax Scrip No. 1407, of the sale of August 23, 1855 on lot on the east side of Cedar Street, commencing 483 feet south of Batavia St., being 25 feet front, by 108 feet deep, the said Comptroller execute and deliver to said O. H. Marshall, a Declaration of Sale thereon, in the form prescribed by the Charter. Adopted.

That upon filing the petition of Wm. P. Fisher, with the accompanying proofs, with the Comptroller, in which he asks for a Declaration of Sale, on Certificate of Tax Sale No. 229, of the sale of June 23, 1858, on lot on the west

side of Katharine St., part of outer lot No. 52, lying on the south corner of Mackinaw St., being 489 feet front, by 227 feet deep, the said Comptroller execute and deliver to said Fisher, a Declaration of Sale thereon, in the form prescribed by the Charter. Adopted.

That an Order of three hundred and forty-two and 88-100 dollars ($342 88) be drawn in favor of the Comptroller, on General Fund 1858, to take up order held by W A Chard, and that the Comptroller deliver said order of $342 88 to W. A. Chard, on surrender of local order drawn Feb. 6, 1849, on fund for grading Sixth street from Virginia to York street. Adopted.

That upon filing the petition of Wm. P. Fisher, with the accompanying proof, with the Comptroller, on which he asks for a declaration of sale on tax certificate No. 2378, of the sale of June 23d, 1858, on lot on the east side of Main street, part of farm lot No. 35, lying on the north corner of Utica street, being 100 feet front by 177 feet deep, the said Comptroller execute and deliver to said Fisher a declaration of sale thereon, in the form prescribed by the charter. Adopted.

Ald. Howell, from the Committee on Schools, reported in favor of allowing the following accounts, and of drawing orders for same.

E. T. Benedict, for brooms for School No. 5—$1,13.

A. P. Yaw & Son, for brooms, &c., for Schools—$32,07.

E. Hulburt, for wood for Schools—$260,00.

Valentine Bibus, for sawing wood for Schools—$70,00.

Wm. L. French, for repairs at School House No. 19—$5,90.

Wesley Emmons, for same at School House No. 33—$22,78.

Same, for same at sundry School Houses—$392,34. Adopted.

Ald. Brush, from the Committee on Sewers reported in favor of the adoption of the following resolution.

That the Common Council intend to order the construction of a brick sewer 18 inches diameter in the clear, in the south side of Seneca street, from the termination of the present Sewer in said Seneca street, to the old city line, and that the City Clerk cause the necessary notice to be given. Adopted.

Also, in favor of allowing the following accounts and of drawing orders for same:

O. Butler, Jr., for repairing sewer and receiver in Johnson Place, at the southwest corner of the Buffalo Female Seminary—$10.

John Wannop, for repairing sewer at the southwest corner of Clinton and Pine streets—$1 70.

Same, for repairing sewer in Jersey street, near the northwest corner of Niagara street—$1 85.

Same, for repairing sewer at the southwest corner of Seneca and Heacock streets—$3 79.

Same, for repairing sewer at the northwest corner of Hickory and Cherry streets—$6 53.

Same, for repairing sewer on the north side of Seneca street, between Elicott and Centre streets—$8 50. Adopted.

All Sewers, from the Committee on Side and Cross Walks, reported in favor of the adoption of the following resolutions:

That the owners of land on the northerly side of Carroll street, between Michigan and Chicago streets, cause a sidewalk repaired, 4 feet wide, by substituting good new hemlock plank, 3 inches thick, where necessary, within 10 days, and if not done within that time the Street Commissioner cause the same to be done at an expense not exceeding $40 and report. Adopted.

That the owners of land on the northerly side of Carroll street, between Michigan and Chicago streets, cause a sidewalk repaired, 4 feet wide, by substituting good new hemlock plank, 3 inches thick, where necessary, within 10 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $40, and report. Adopted.

That the owners of land on the easterly side of Hickory street, between William and Batavia streets, cause a sidewalk to be repaired, 4 feet wide, by substituting good new hemlock plank, 3 inches thick, where necessary, within 10 days, and if not done in that time that the Street Commissioner cause the same to be done at an expense not to exceed $35, and report. Adopted.

That the owners of land on the westerly side of Walnut street, between Sycamore and Genesee streets, cause a sidewalk to be repaired, 4 feet wide, by substituting good new hemlock plank, 3 inches thick, where necessary, within 10 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not to exceed $80, and report. Adopted.

That the Street Commissioner cause a plank cross walk to be constructed across Tupper street, on the southwesterly side of Carolina street at an expense not to exceed $8, and report. Adopted.

That the Street Commissioner cause a plank cross walk to be constructed across Pratt street, on the northerly side of William street, at an expense not exceeding $8, and report. Adopted.

That the owners of land on the northerly side of Sycamore street, between Jefferson and Adams streets, cause a sidewalk to be constructed 4 feet wide of good hemlock plank, 3 inches thick, within 10 days, and if not done within that time, that the Street Commissioner cause the same to be done at an expense not to exceed $160 00, and report. Adopted.

That the Street Commissioner cause a plank crosswalk to be constructed across Jefferson street on the northerly side of Sycamore street, at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause a plank crosswalk to be constructed across Madison street, on the northerly side of Sycamore street, at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause a plank crosswalk to be constructed across Monroe street on the northerly side of Sycamore street, at an expense not exceeding $8, and report. Adopted.

That the owners of land on the southerly side of Batavia street, between Elicott and Elm streets, cause a side walk to be repaired by substituting new hemlock plank, three inches thick, where necessary, within ten days, and if not done within that time, that the Street Commissioner cause the same to be done at an expense not to exceed $15, and report. Adopted.

Tha tthe owners of land on the northerly side of Carroll street, between Red Jacket and Jefferson streets, cause a sidewalk to be constructed 4 feet wide of good hemlock plank, 3 inches thick, within ten days, and if

not done within that time, that the Street Commissioner cause the same to be done at an expense not to exceed $15, and report. Adopted.

Also, in favor of drawing an order in favor of S. D. Colie, on the fund for constructing a plank sidewalk on southerly side of Mackinaw street, between Tennessee street and a point sixty feet easterly, amount $6 55. Adopted.

Ald. Yaw from the Committee on Fire, reported in fvaor of the following resolutions:

That the Fire Marshall prepare a plan and specifications to be approved by the Fire Committee, for a barn to be located on the premises occupied by Hose Co. No. 3, and advertise for bids to build the same for five days, in the official paper, and report the bids to this Council Adopted.

That hereafter no wooden building or wooden addition will be permitted by this Council to be erected or removed within the present fire limits, without a reference to the Fire Committee for their consideration and report.

Ald. Beckwith moved to amend said resolution by striking out therefrom the words "or wooden addition." Carried.

And the resolution as so amended was then adopted Ayes, 11; Noes, 8.

Also, reported that the Committee on Fire had awarded the contract for furnishing the city with 2,000 feet of leather hose to Wm. Taylor, at his bid. Filed and action approved.

Also, reported in favor of the adoption of the following resolutions:

That Engine Co. No. 6 be and it is hereby disbanded, and the Fire Marshal is hereby directed to take immediate possession of all the city property now used by said Co., and notify the owner or agent of the said house and lot that this city will not occupy the same after the termination of the present lease, (being the first of May next.) Adopted.

That in the opinion of this Council three engineers for the command of the Fire Department are amply sufficient, and that no appointment of an additional assistant engineer will be made unless necessity requires it. Adopted.

Also, in favor of allowing the following accounts and of drawing orders for same:

Wardwell, Webster & Co, for oil for Fire Department —$53 20.

A. P. Yaw & Son, for sundries for Fire Department—$8 77.

Hersee & Timmerman, for beadsteads and mattrasses for steamer "Wells'" house—$11.

Frederick Scheifer, for repairing steamer "Wells'" house—$34.

A. Freeman, for labor for Fire Department—$0 75.

Hersee & Timmerman, for mattrasses for steamer "Jones'" engine house—$3 50.

Livingston, Fargo & Co., for team for steamer "City of Buffalo"—$400.

Peter Schmal, for sundry repairs for Fire Department —$42 12.

Wm. R. Deacon, for labor on steamer—$5 83.

Alvis Staub, for labor for Fire Department—$10 50.

Jacob Gerlach, for painting and glazing for Fire Department—$23 98.

Hewson & Co., for repairs for Fire Department—$62 12.

William Taylor, for repairing hose—$18.

Felthousen & Russell, for labor and material for Fire Department—$85 44.

Pratt & Husted, for sundries for Fire Department—$3 18.

Same, for same—$14 07.

D. C. Weed & Co., for axe for Fire Department—$1 25.

Jacob Bangasser, for repairs for Fire Department—$45 39.

Thos. B. French, for same—$123 94.

Same, for same—$9 75.

M. Gardner, for straw for Fire Department—$1 50.

Same, for hay, &c., for same—$4 34.

Pratt & Co., for sundries for same—$84 26. Adopted.

Also, in favor of the adoption of the following resolutions:

That the Fire Marshal be authorized, subject to the approval of the Fire Committee, to purchase six horses for the use of the Fire Department, at a price not exceeding six hundred dollars. Adopted.

That permission be and is hereby granted to P. & J. Staats to remove a wooden building from the east side of Niagara street to a lot on west side of Staats street, near their Cabinet Warehouse, under the direction of the Street Commissioner and subject to the further order of the Council. Adopted—Ayes 19; noes 0.

Ald. Jones, from the Committee on Water, reported in favor of the adoption of the following resolution;

That it is hereby ordered and determined that the amount necessary to be raised by local assessment to defray one half of the expense of the Water District, and the supply of water therefor, for the year 1861, shall be $12,900; and the City Assessors are hereby authorized and directed to assess that sum upon all the taxable property in the said Water District, as the same existed on the first day of April, 1861, as provided by law. Adopted.

Also in favor of allowing the following accounts and of drawing orders for same:

John Gisel, for deepening and repairing the public well at the corner of William and Pine streets—$129 27.

Klien & Dobinson, for repairing the pump to the said well—$1 63.

George Klein, for hydrant boxes—$13 80.

W. I. Williams, for cover to reservoir in Clinton street, near Union street—$2 88.

W. I. Williams, for cover to reservoir in Michigan street, near Eagle street—$2 86. Adopted.

Ald. Howell, from the Committee on Claims, reported in favor of allowing the following accounts and of drawing orders for same:

P. H. Bender, (8) for advertising, &c, for Common Council and City Officers—$107 46.

Clapp, Mathews & Waite, for printing message and notices for Mayor. Charged at $15, allowed at $9.

E. G. Luce, for services in City Clerk's office in January. Charged at $22 50, allowed at $20.

Farnham & Hodge, for coal for Central School—$16 50.

Clapp, Mathews & Waite, for printing for Superintendent of Schools—$24 50.

Same, for printing blanks for Comptroller—$20.

P. H. Bender, for publishing Council proceedings to April 1st—$137 50.

Clapp, Mathews & Waite, for printing for Chief of Police—$12.

Lauren Burton, for livery by order of Mayor—$17.

J. G. Steinrach, for labor on Jubilee Water Works—$8.

Alvis Ruff, for same—$77.

John Hoffmann, for same—$2 50.

J. G. Woelfle, for services as Water Commissioner—$25.

Farnham & Hodge, for coal for public buildings—$145 75.

Clapp, Mathews & Waite, for printing by order of City Clerk—$171 25.

Elijah Wells, for cleaning city offices—$13 74.

F. C. Hill, for sundries for City Hall—$5 50.

Hersee & Timmerman, for repairs in Mayor's office—$2 75.

T. V. N. Penfield, for books for Street Commissioner's office—$16.

Andrews & Son, for sundries for assessors—$6 13.

Clapp, Mathews & Waite, for sundries for assessors—$15. Adopted.

Ald. Storck, from the Committee on Police, reported in favor of allowing the following accounts and of drawing orders for same:

R. H. Best, for disbursements—$7 25.

Sundry persons for cleaning Police Stations to April 1st—$90.

D. S. Reynolds, for commitments to Penitentiary—$11 25.

Jacob Emerick for commitments to Penitentiary—$7 50. Adopted.

Also, in favor of drawing orders in favor of Donald Bain, John A. Beiber, and Timothy McDonough, for $100 each, for their respective services to April 1st, as Clerks in the Poor Master's office. Adopted.

Also, in favor of the adoption of the following:

That the Council do now proceed to ballot for Constable for 4th Ward. Adopted.

The Common Council then proceeded to ballot for Constable for the 4th ward, in place of Emil Koehler, who has failed to qualify, and on such balloting Carl Andersen received 11 votes and Jacob Webber received 8 votes, and the said Carl Andersen was declared to be duly appointed Constable for the Fourth Ward.

Ald. Storck, from the Committee on Markets, reported in favor of the adoption of the following resolution:

That the Committee on Markets be directed to publish a notice in the city paper and German *Telegraph* for three days that they will lease the Stalls in the several Markets, on the days hereinafter mentioned, at rates hereafter to be fixed by the Council, to wit:

Stalls in Elk Street Market on Tuesday, April 23rd, P. M.

Stalls in Washington Street Market on Wednesday, April 24th, P. M.

Stalls in Clinton Street Market on Thursday, April 25th, P. M.

Stalls in Niagara Street Market on Friday, April 26th, P. M.; and that the said Committee be and they are hereby authorized to lease said Stalls in the said Markets at the time as above set forth for each Market respectively. Adopted.

Also, in favor of allowing the Account of Charles Germain, for services as porter in Elk Street Market, in January—amount $11 50—and of drawing orders for same. Adopted.

Ald. Allen, from the Committee on Wharves, Harbors and Ferries, reported in favor of the adoption of the following resolution:

That an assessment of $3,000 is hereby ordered, for the purpose of paying one-half the expense of dredging Buffalo Creek, from the west end of the north pier to the southerly side of South street. Adopted.

Ald. Adams, from the Committee on Public Lamps, reported in favor of the adoption of the following resolutions:

That the Chairman of the Committee on Public Lamps be and he is hereby authorised to contract for and in behalf of the City of Buffalo, with James G. Turner, for the lighting, extinguishing, cleaning and keeping in repair of the public lamps of the city of Buffalo, for the term of one year from the first day of May, 1861, at a price not to exceed eighteen cents for each lamp per month. Adopted.

That the Committee on Public Lamps be and they are hereby authorised and directed to cause the three public lamps, heretofore removed from in front of the post office to be replaced. Adopted.

Ald. Russell, from the Committee on License, reported in favor of the adoption of the following resolution:

That as the time for leasing the stalls in markets having arrived, and also to fix the license for the ensuing year, that they be and the same are hereby fixed as follows:

For all licenses for stalls or shops, outside of the markets, be $30, and that no license be granted within 1,500 feet of the public markets, and that all licenses in the New Territory be fixed at $10 for stalls, and at $35 from wagons.

Ald. Allen moved to amend said resolution by striking out $30 and inserting $16 in place thereof.

Ald. Felton moved the whole subject be referred to the Committee of the Whole. Carried.

Ald. Savage, from the Committee on Sanitary Measures, reported in favor of allowing the following account, and of drawing orders for same:

David Walker, for abating nuisance on ground on north side of North street, at northeast corner of Rogers street, (pest house lot,) $426 03. Adopted.

Ald. Crowder, from the Committee on New Territory, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause a wood culvert across Ferry street, between Walden street and the Williamsville road, to be reconstructed at an expense not exceeding $9, and report. Adopted.

That the Street Commissioner cause a wood culvert to be constructed across Rogers street, 51 feet south of Butler street, at an expense not to exceed $8, and report. Adopted.

That the Street Commissioner cause the wood culvert to be repaired across Twelfth street, on the southeasterly side of Vermont street, at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause the wood culvert across Eleventh street, on the southeasterly side of Vermont street, to be repaired at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause the wood culvert across Summer street, on the easterly side of Rogers street, to be reconstructed at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause a stone culvert to be re-constructed across Steele street, on the easterly side of Main street, at an expense not exceeding $15, and report. Adopted.

Also, in favor of directing the Assessors to make assessments as follows:

Assess $60, for constructing sewer and receiver on the easterly side of Niagara street, at the southerly end of the bridge across Scajaquada Creek.

Ald. Howell moved to refer said resolution back to the Committee. Lost. And the resolution was adopted.

Assess $60, for constructing sewer and receiver on the westerly side of Niagara street, at the southerly end of the bridge across Scajaquada Creek.

Ald. Howell moved to refer said resolution back to the Committee. Lost.

And the resolution was then adopted.

Assess $24 38, for reconstructing the receiver on the easterly side of Niagara street, near the southerly end of the bridge across Scajaquada creek. Adopted.

Assess $25 37, for re-constructing the receiver on the westerly side of Niagara street, near the southerly end of the bridge across Scajaquada Creek. Adopted.

Also in favor of the adoption of the following resolution:—

That the Common Council of the city of Buffalo intend to order that the grade of Ferry street, from Main street to Niagara street, be altered and established as follows, to wit:

Commencing at the intersection of the centre line of Ferry street with the westerly line of Main street, at an elevation of 58.50 feet above the base line of levels; thence westerly, following the centre line of Ferry street, rising 0.257 feet per 100 feet, for a distance of 584 feet; thence rising 2 38 feet per 100 feet, for a distance of 366 feet; thence rising 6 32 feet per 100 feet, for a distance of 239 feet, to the easterly curb line of Delaware street, at an elevation of 83.80 feet above the base line of levels; thence level for a distance of 42 feet, to the westerly curb line of Delaware street; thence falling 0.93 feet per 100 feet, for a distance of 1269 feet; thence falling 1.51 feet per 100 feet, for a distance 1,000 feet; thence falling 0 20 feet per 100 feet for a distance of 4,200 feet; thence falling 0.60 feet per 100 feet, for a distance of 1,550 feet to the easterly line of Niagara street, as the same is now paved at an elevation of 39 20 feet above the base line of levels. And that the City Clerk cause the necessary notice of such intention to be duly published. Adopted.

Also, in favor of allowing the following accounts, and of drawing orders for same:—

Isaac Holloway, for constructing a stone culvert across Niagara street at the Railroad bridge- $174.

James Haggert, for grading sidewalk on the southerly side of Ferry street, between the westerly curb line of Niagara street and the railroad bridge—$48 25.

Same for constructing a plank sidwalk on the southerly side of Ferry street, between Niagara street and the Erie Canal—8 00.

William Farmer, Jr., for constructing a sidewalk on the easterly side of Niagara street, between south and Tonawanda streets—$53 20.

Same for constructing a sidewalk on the west side of Dearborn street, between Hamilton and Austin streets—$19 74.

Same for constructing a sidewalk on the west side of Dearborn street, between Amherst and Hamilton street—$10 56.

Same for constructing plank sidewalk on the northerly side of Parish street, at its intersection with Niagara street, on both sides of Niagara street—$6 00.

Same for constructing plank sidewalk on both sides of South street, at its intersection with Niagara street, on both sides of Niagara street—$5 76.

Same for constructing plank sidewalk on the northerly side of Amherst street, from the sidewalk superstructure on the easterly side of Niagara street to the curbing on the easterly side of the carriage-way in Niagara street—$8 00.—Adopted.

Also in favor of the adoption of the following resolutions:

That the owners of land on both sides of Genesee street, between Jefferson and a point 1 mile northeasterly from said Jefferson street, cause the plank road repaired in front of their respective lots, within 14 days, and that if not done within that time, that the Street Commissioner report to this Council such portions of said road remaining unrepaired, and that the Street Commissioner notify such owners of this resolution by notice published in the city paper and Buffalo *Telegraph*. Adopted.

That the Common Council of the city of Buffalo intend to order the plank roadway in Genesee street, repaired, from Jefferson street to a point one mile northeasterly therefrom, and that the City Clerk cause the necessary notice of such intention to be duly published. Adopted.

Ald. Adams moved that when this Council adjourns it adjourn to meet at one minute past 7 o'clock, this evening. Carried.

The Common Council then adjourned to meet this evening at one minute past 7 o'clock.

OTIS F. PRESBREY, City Clerk.

IN COMMON COUNCIL,
Buffalo, Monday, April 1th, 1861,
At 1 minute past 7 o'clock, P. M.

Present—Ald. Adams, Allen, Beckwith, Brush, Crowder, Dorr, Felton, Grass, Hanovan, Howard, Howell, Jones, Mills, Russell, Rutter, Savage, Scheu, Schwartz, Storck and Yaw.

Absent—Ald. Bemis, Goembel, Palmer, Pratt, Walsh and Wheeler.

In the absence of the President, Ald. Howard was called to the chair.

The reading of the minutes of the last meeting was dispensed with.

Ald. Adams moved the regular order of business, to orders of reports from Special Committees, be suspended. Carried.—Ayes 20, Noes 0.

SPECIAL COMMITTEES.

Ald. Howard, from the Special Committee on reception of the President elect, reported in favor of allowing the following accounts, and of drawing orders for same:

L. L. Hodges, for hotel bill for President elect and suite, allowed at—$868 00.

G. P. Stevenson & Co., for carriages, &c.—$185 00.

Union Cornet Band, for services—$100 00. Adopted.

Ald. Howard, from the Special Committee on Prospect Hill Park, reported in favor of allowing the account of Samuel Green, for services as Keeper of Prospect Hill Park, amount $9, and of drawing an order for the same Adopted.

Ald. Felton, from the Special Committee on revising the ordinances, reported the following chapters of ordinances as revised by said committe.

Title 3.—Of Water and Water-Works in the Parish Tract, (so called,) in the 12th Ward.

§ 1. It shall be the duty of the water commissioner appointed under the provisions of Title 12 of the charter of the city of Buffalo, to superintend and take charge of all lands, springs, or streams of water, and all buildings, machinery, pipes, reservoirs, and aqueducts belonging to and acquired by the late village of Black Rock, under the provisions of an act entitled An Act to Amend the act passed April 24, 1837, entitled an act to incorporate the village of Black Rock, and the several acts amending the same, passed April 11, 1842.

§ 2. No person or persons shall use the said water in any house, building, or other place, except after an application to the water commissioner, duly made as is hereinafter provided, under the penalty of five dollars for each and every offence.

§ 3. All applications for the use of said water, for its introduction into any house, building, or other premises, or for the extension of any pipe for the conveyance of such water, shall be made in writing subscribed by the applicant, and must state fully and truly all purposes for which it is required; and the said applicant shall, without concealment, answer all questions put to him, her, or them, by the water commissioners, touching its consumption for use.

§ 4. No owner or tenant of any house, building, or premises supplied with such water shall allow or permit other families or persons to supply themselves with water from such house, building, or premises, without the written permission of the water commissioner.

§ 5. No alteration or addition whatever, in or about any public or private pipe, shall be made by any person or persons, without permission in writing first had from the water commissioner, and all lateral or service pipe shall be laid and kept in good repair, and protected from the frost by and at the expense of the applicant, and under the direction of the water commissioner.

§ 6. The water commissioner shall, at all times, be in readiness to tap and make the necessary insertions into the main pipe, upon receiving seasonable notice of the wish of the applicant to that effect,

§ 7. No street-washer or hydrant, yard fountain or jet, shall be opened or used, except by special permission, in writing, from or under the direction of the water commissioner, nor shall such water be used for any purpose not specified in the application, except by the like special permission of the water commissioner, and upon such terms as he may impose. All street-washers, hydrants, yard fountains, jets, taps, and stop-cocks, basins, water-closets, baths, urinals, etc., must be closed, when not in actual use.

§ 8. The water commissioner shall, at all times, have free access to all parts of any and all premises in which said water is used; and the said commissioner may at any time make such restrictions in the use of such water as in his judgment may be necessary.

§ 9. Any violation of the preceding provisions, by any person or persons, shall subject the person or persons so violating the same to a penalty of ten dollars for each and every offence; and any hindrance or obstruction to the water commissioner, in the performance of his duty, shall subject the offender to the like penalty of ten dollars.

§ 10. Any fraudulent misrepresentation, or concealment, on the part of the applicant, or any use of water not mentioned in the application, or any willful or unreasonable waste of said water, shall subject the person or persons guilty of such misrepresentation or concealment, or making such use or waste of water, to a penalty of twenty-five dollars, for each and every offence.

§ 11. The rates, rents, and charges, for the use of the water aforesaid, are hereby fixed at the following sums, for each and every year's use thereof:

1, For its use by every ordinary family, owning or occupying dwelling-house one story high, two dollars;

2, For its use by every ordinary family, owning or occupying a one and a half story dwelling house, three dollars.

3, For its use by any ordinary family, owning or occupying a two story dwelling-house, four dollars;

4, For its use in any boarding or eating house, four dollars;

5, For its use by any inn, tavern, or house of entertainment, ten dollars;

6, For its use in any house, shop, petty grocery, or place where intoxicating or malt liquors are kept for sale, or dealt out by the dram or glass, five dollars;

7, The said water shall not be used, by any person or persons, companies or corporations, for any purposes, or in any manner not in this section enumerated, except by special permission, in writing, of the water commissioner, under a penalty of ten dollars for each and every offence; and the common council may direct the said water commissioner to make special contracts and agreements with any and all persons, companies, or corporations for the use of said water, upon such rates, terms, and conditions as to the said common council may seem reasonable and just, in cases not above specified; provided always the supply of water shall be such as to warrant such special contracts for the use of said water, after reserving a full supply for the uses above specified.

§ 12. It shall be the duty of the water commissioner, on or before the first day of April, in each and every year, to make, under oath, and deliver to the common council, a complete list and description of all the different lots and premises, as they are described on the map of the Parish tract, in the assessors' office, on which the said water shall be used, and which shall be liable, under the ordinance, to be taxed for the use of said water, and affix to each separate lot or parcel of land, the sum or amount which each such lot shall be chargeable with, according to the rates hereby fixed, estimating the same for each fiscal year.

§ 13. The common council shall direct the assessors, in each year, to assess the several sums or amounts so reported by the water commissioner upon the several lots or premises so reported at the same time and upon the same roll, but in a separate column, upon which shall be assessed the amount to be raised each year for the payment of the principal or interest on the cost of, and other ordinary expenses incident to, the Jubilee Water Works, and there shall be but one assessment each year for or on account of any expense or charges respecting the said water. The taxes thus imposed shall be a lien and charge on the land on which they shall be imposed, and shall be collected in the same manner with other local taxes of said city.

§ 14 Any person or persons who shall wilfully or maliciously destroy or injure any pipes, reservoirs, or aqueducts of the works above mentioned, or the erections incident thereto, or any part of them, or either of them, or any thing belonging to them, or either part of them, shall forfeit the sum of twenty-five dollars for each and every offence.

§ 15. It shall be the duty of the water commissioner, at the end of each quarter year, to present to the common council, for audit, all accounts for every debt incurred or contracted on account of the works under his charge,—said account to be verified by the proper affidavit of the person rendering the service or furnishing the material, and certified to by the water commissioner.

§ 16. All sums of money which shall be paid into the treasurer of the city under and by authority of any act or acts relating to the subject of procuring a supply of wholesome water for the use of the inhabitants of the first ward of the late village of Black Rock, or any provisions of the charter of the city of Buffalo relating to that subject, including the proceeds of all bonds, rents, taxes, fines, and penalties, shall be kept by the treasurer in an account separate and distinct from all other accounts, and shall be denominated the "Jubilee Water Fund;" which said fund shall also be liable for all expenditures necessary or incident to the procuring and distributing of said water.

§ 17. The water commissioner shall execute a bond to the city of Buffalo, with such penalty and with such sureties as the common council shall direct, conditioned for the faithful performance of his duties as water commissioner; and it shall be his duty to report forthwith all violations of the preceding ordinances to the city attorney for prosecution, and the city attorney shall thereupon prosecute the same.

§ 18. The water commissioner shall, on or before the 31st day of December, in each and every year, report to the common council the condition of the "Jubilee Water Fund," of all moneys collected, and from what source received, or to be collected, belonging to said fund, and of all expenses and disbursements made and chargeable to said fund, during the last preceding year.

CHAPTER XVI

OF SHOWS AND THEATRICAL EXHIBITIONS.

§ 1. Every person who shall exhibit, or assist to exhibit, in this city, any natural, or artificial curiosities, caravans, circuses, menageries, theatrical representations, or shows of any kind, without a license, shall forfeit the penalty of fifty dollars for each and every offence.

§ 2. The mayor, with the consent of the majority of the police committee, may grant licenses to such persons applying therefor, under the last section, for such time, and upon such terms, as he may deem proper.

CHAPTER II.

OF NUISANCES.

§ 1. No person shall throw, place, leave, or deposit, or suffer his or her servant, child, family, or any other person, to throw, place, leave, or deposit, any dead carcase, carrion, putrid meat, night-soil, or fish entrails, or other unwholesome substances, in any street or lane, or in the harbor, canals, slips, or basins, or upon any lot in this city, under the penalty of twenty-five dollars for each and every offence; but nothing herein contained shall apply to any person following the occupation of a scavenger, when placing any of the substances above named upon any lot within the city, by express permission of the owner of said lot, and of the health commissioners; which permission shall be in writing.

§ 2. No person shall throw or deposit any dirty water, dirt, filth, chips, oyster or clam shells, straw, or other rubbish, in any street, lane, or alley of this city, under the penalty of two dollars for each and every offence

§ 3. No owner or occupant of any tenement or lot in this city shall permit any substance mentioned in the last two sections to be or remain in or upon said tenement or lot, or between the same and the center of the street adjoining, under the penalty of two dollars for each and every twenty-four hours, during which the same shall be or remain thereon.

§ 4. Any owner or occupant of any grocery, cellar or tallow chandler's shop, soap factory, tannery, stable, barn, privy, sewer, or other house or place, who shall suffer the same to become nauseous, or injurious to the health of the inhabitants of the city, shall forfeit the penalty of ten dollars for each and every offence.

§ 5. It shall be lawful for the mayor, any alderman, or commissioner of health, to order the owner or occupant of any grocery, cellar, tallow chandler's shop, soap factory, tannery, stable, barn, privy, sewer, or other unwholesome or nauseous house or place, to cleanse, remove or abate the same as often as may be necessary for the health, comfort and convenience of the inhabitants of this city; and any person refusing or neglecting to obey such order shall forfeit the penalty of twenty five dollars for every twenty four hours he shall so neglect or refuse.

§ 6. No tub, or the contents of any vault, privy, or necessary house within the city shall be removed at any time between the 1st day of June and the 15th day of September, in any year, except under the direction of the health commissioner, and not at any other time of the year, except between the hours of eleven o'clock at night and four o'clock in the morning, under the penalty of twenty-five dollars for each and every offence.

§ 7. No person or persons shall dig or open any grave, or cause or procure any grave to be dug or opened, or shall inter or deposit, or cause to be interred or deposited, any corpse or dead body within the burying ground situate on the southerly side of North street and the northwesterly side of Pennsylvania street, in said city of Buffalo, under the penalty of fifty dollars for each and every offence.

§ 8. No sexton or other person, shall at any time expose unnecessarily any coffin, or box containing any corpse, in passing to any place of burial; nor shall any coffin ware-room be used in any case as a dead house for the holding of coroner's inquests, nor shall any coffin maker expose to the public gaze his wares unnecessarily. Any violation of any of the provisions of this ordinance, will subject the offender to a penalty of ten dollars for each offence.

§ 9. No person shall dig or cause to be dug, within the city, any grave of a depth less than five feet below the surface of the earth, nor shall any person inter or deposit, or cause to be interred or deposited, any corpse or dead body in any grave within the city which shall be of a depth of less than five feet, under the penalty of ten dollars for each and every offence.

§ 10. No person shall post, or put up, or cause to be posted or put up, in any conspicuous place, on any of the lamp posts, fences, bridges, or buildings, within the city, any card or hand-bill, advertising the place or means of curing syphilitic or other secret diseases; and any person who shall be guilty of a violation of this section, shall, on conviction, forfeit the penalty of twenty-five dollars.

§ 11. No person shall carry or convey in or through any of the streets of this city, in a conspicuous manner, any placard, show-bill or advertisement, under a penalty of five dollars

§ 12. No person shall fly any kites, or play at ball, quoits, or at any other game, or play whatever, in any of the streets or public squares or grounds of the city, under the penalty of five dollars for each and every offence.

§ 13. No person shall make or construct, or aid, or assist in the construction of any sewer in any street or alley or elsewhere in the city of Buffalo, or any drains from any building connecting with any of the main or street sewers of said city, except such sewer or drain is properly secured by a stench trap in such manner as to prevent any effluvia or stench from passing through such receiving sewer or drain, under the penalty of fifty dollars for each and every offence.

Referred to the Committee of the Whole, and ordered printed.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Allen—That the Harbor Master cause all logs and snags which obstruct navigation in Buffalo harbor, to be removed at an expense not exceeding ($30) thirty dollars, and report. Adopted.

By. Ald. Howell—That the Common Council of the city of Buffalo intend to order Niagara street to be graded its full width, and a carriage-way paved therein 42 feet wide, and curbing set on both sides of said carriageway from the northerly line of Amherst street to the northerly line of Hamilton street, and all necessary crosswalks and sewers and receivers constructed, and platform-stones placed in said Niagara street, between the points above named, and that the City Clerk cause the necessary notice of such intention to be duly published, and that the City Surveyor report an estimate of the several kinds of work necessary to do said work. Adopted.

Also, that the City Surveyor be and he is hereby directed to report a suitable grade, together with a profile thereof, for Niagara street from the northerly line of Amherst street to the northerly line of Hamilton street, and to set stakes in said Niagara street between the above named points, and to designate on such stakes the amount of filling or cutting at the points where the same are set. Adopted.

By Ald. Adams,—

Whereas, The President of the United States, in view of the alarming aspect of public affairs, has deemed it his duty to call upon the several States for a force of militia to aid him in maintaining the integrity of the Union;

Resolved, That this Common Council, while regretting that an appeal to arms to sustain our beloved country and its cherished institutions has become necessary, fully approve of the course of the President, and will sustain him in all lawful measures to enforce the laws and maintain the Union.

Resolved, That we recommend all good citizens to come forward in this time of our Country's need and prove their patriotism by renewing the pledge made by their fathers of their lives and fortunes to aid in preserving the liberties of our country.

Ald. Beckwith offered the following as a substitute for the resolution offered by Ald. Adams:

Whereas, the Government of the United States has its true foundation in the popular will, and can be maintained in its original spirit and design only by securing the voluntary attachment of the American people, and

Whereas, large portions of the people of our common country, in the name of their local sovereignties, have refused longer adherence to the general government, and declare their intention to effect a permanent separation from the country, and

Whereas, the President of the United States has issued a call for volunteers for the purpose of aiding the Administration in enforcing the laws, and

Whereas, in the opinion of this Council there is danger of the country being plunged into the horrors of civil war under the pretext of enforcing the laws, therefore,

Resolved, That in the opinion of this Council the Government cannot be upheld by bayonets, and that we are opposed to the inauguration in this country of the doctrine of the right of the government to perpetuate itself, and that the call upon the militia of the various States is dangerous to the future peace of the country, and inexpedient. Lost.

AYES—Ald. Beckwith, Grass and Hannovan—3.

NOES—Ald. Adams, Allen, Brush, Crowder, Dorr, Felton, Howard, Howell, Jones, Mills, Russell, Rutter, Savage, Scheu, Schwartz, Storck, and Yaw—17.

The resolution offered by Ald. Adams was then adopted.

AYES—Ald. Adams, Allen, Brush, Crowder, Dorr, Felton, Howard, Howell, Jones, Mills, Russell, Savage, Scheu, Schwartz, Storck and Yaw—16.

NOES—Ald Beckwith, Grass, Hanovan and Rutter, —4.

Resolutions remaining on the Clerk's desk at the adjournment of the Council, were by him referred to their appropriate Committees, as follows:

That Franklin street be graded between Chippawa and Tupper streets.

That W. Treat have permission to remove earth from Michigan streets.

That Church street be repaired between Franklin street and the Terrace

That an assessment be made to pay awards for land taken to lay out Katharine street.

That Jefferson street be repaired near the Toll gate.—Referred to the Committee on Streets.

That the sewer and receiver at the northeast corner of Niagara and Pearl street be repaired.

That the sewer and receiver on the southeast corner of Ash and Sycamore street be repaired.

That the wood culvert across Edward street on the southerly side of Virginia street, be repaired. Referred to Committee on Sewers.

That a sidewalk be repaired on Gray street between Genesee and Batavia streets.

That a sidewalk be repaired on Genesee street between Ash and Spruce streets.

That a sidewalk be repaired on Eagle street between Spring and Jefferson streets.

That a sidewalk be repaired on Georgia street between Fourth and Fifth streets.

That a sidewalk be repaired on William street between Stanton and Wilson streets.

That a crosswalk be constructed across Clinton street on the east side of Smith street.

That a crosswalk be repaired across Bond street on Clinton street.

That a crosswalk across Spring street, on South Division street, be repaired.

That a crosswalk across Spring street, on North Division street, be repaired.

That a crosswalk across Cedar street, on North Division street, be repaired.

That a crosswalk across North Division Street, on the westerly side of Spring street, be repaired. Referred to Committee on Side and Crosswalks.

That interest be allowed on the amount unpaid on the steam fire engines, provided the city purchase them. Referred to Committee on Fire.

That the wood culvert across Forest avenue, between North Washington and De Witt streets, be repaired.

That the wood culvert across North Washington street, on the south side of Bird Avenue, be repaired.

That the wood culvert across North Adams street, on California street, be repaired.

That the crosswalk across Eleventh street, on Vermont street, be repaired.

That the crosswalk across North Washington street, on Ferry street, be repaired.

That the sidewalk on North Washington street, between Bouck and Bird Avenues, be repaired.

That Delaware street be repaired, between Chapin and Amherst streets.

That Clinton street be repaired between New York City Railroad and the Williamsville road.

That Forest Avenue, between De Witt street and lot No. 174, be ordered worked. Referred to Committee on New Territory.

The Common Council adjourned to meet next Monday afternoon, April 22d, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk."

MINUTES No. 16.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, April 22d, 1861,
at 2 o'clock, P. M.

Present—Asaph S. Bemis, Esq., President of the Council; and Ald. Adams, Allen, Beckwith, Brush, Crowder, Dorr, Felton, Goembel, Grass, Hanovan, Howard, Howell, Mills, Pratt, Russell, Rutter, Savage, Scheu, Schwartz, Storck, Wheeler, and Yaw.

Absent—Ald. Jones, Palmer, and Walsh.

The minutes of the meetings held April 15th, 1861, at 2 and 7 o'clock P. M. were approved.

Ald. Adams moved that the regular order of business be suspended. Carried. Ayes, 19; Noes, 0.

Ald. Dorr presented the following communication:

Whereas, a crisis in our public affairs has arisen when it becomes imperative that private and public liberality should alike become active; and,

Whereas, the citizens of Buffalo having already subscribed some $15,000 for the purpose of relieving the immediate necessities of persons entering the service of Government in this crisis, and for providing for their families during their absence, and the citizens having appointed a committee of three, consisting of Jason Sexton, Henry W. Rogers and Samuel F. Pratt, who shall have charge of and disburse this fund as it is needed; therefore,

Resolved, That the Common Council be requested to appropriate a sum of money for this purpose to the amount of $50,000 or more, and that the funds be consolidated and be known as a fund for the defence of the federal Union, and that the Council be requested further to appoint three members of its own body to act in concert with the above named citizens' committee, said joint committee to be designated and known as the committee having charge of the fund raised for thd defence of the federal Union by the citizens and corporation of the city of Buffalo, the said committee to be accountable to the Common Council of said city for the proper exercise of the powers and duties so conferred upon them.

Resolved, That the Chairman of this Committee be directed to notify the Common Council of the action of this Committee on this subject.

E. S PROSSER, Ch'n.

S. K. WORTHINGTON, Sec'y.

Received and placed on file.

Whereupon, Ald. Bemis offered the following:

Whereas, The proclamations of the President of the United States, and the Governors of New York and other States, calling upon men and means with which to suppress rebellion, and maintain the Union, the Constitution and the enforcement of the laws, demand a prompt and efficient response; and

Whereas, In pursuance of the proclamation and call of the Governor of the State of New York, for the immediate mustering of the quota of forces from New York, to answer the demand made by the President of the United States for the purposes aforesaid, many loyal and patriotic men of this city are desirous of answering their country's call in the hour of its peril, and of taking up arms as soldiers and volunteers in its defence, but who are deterred from so doing by their obligations to provide for the necessities of others dependent upon them for support; and

Whereas, In view of the circumstances and necessities of the case as proclaimed by the Chief Magistrate of this nation, and in order that the city of Buffalo shall be neither last nor least in contributing, as far and as promptly as possible, the desired aid, in men for active service, and enable those of organized military companies, or volunteers from our city, to go at once, who cannot do so unless provision is made for the sustenance of those dependent upon them, during their absence in the service of their country; and

Whereas, This Council deeming it meet and proper that reasonable provision should be made for all such as aforesaid, at the public expense, and relying upon the generosity and patriotism of the citizens of Buffalo to approve of the acts of this Council, in incurring an extraordinary liability as hereinafter contemplated, for the purposes aforesaid, and for the better protection of the city; and

Whereas, A great public calamity exists, in view of which extraordinary expenditures are, or may become necessary, and no adequate contingent fund exists from which to defray such extraordinary expenses,—therefore, for the purposes of a necessary contingent fund to meet the exigencies above referred to, and provide for the safety of the city,

Resolved, That it is hereby ordered and determined by the Common Council of the city of Buffalo, that the City Comptroller and Mayor be, and they are hereby authorized and directed to issue the bonds of said city, under the corporate seal thereof, in such sums, not exceeding in the aggregate $50,000, and at such times as may be expedient. Such bonds so to be issued to bear interest from the date thereof, at the rate of seven per cent per annum, payable at the office of the City Comptroller. The

principal upon said bonds so to be issued, shall be payable at the City Comptroller's office in manner following, to wit:

$10,000 two years from date of bond.
$10,000 three years from date of bond.
$10,000 four years from date of bond.
$10,000 five years from date of bond.
$10,000 six years from the date of bond.

$50,000.

And the City Comptroller is hereby further authorized and directed to negotiate said bonds, or so much of the amount thereof, from time to time, as may be expedient, at the best rate possible for the interests of the city, and pay the proceeds thereof into the city treasury, to the credit of a fund to be designated as "The Contingent Fund."

The contingent fund thus created, shall not be subject to draft by the Common Council, except for expenses and liabilities that shall have been incurred by its direction, on account of the now existing *rebellion and civil war*, and for the purpose, if expedient, of paying the principal and interest upon the bonds aforesaid.

All claims and accounts, payable out of said contingent fund as aforesaid, shall be audited and allowed in the same manner as is provided for all other accounts against the City.

The said contingent fund shall be reimbursed by repayment to it, with interest of such sum as shall have been borrowed from it for the purposes aforesaid, provision for which shall be made in the manner provided by section 7 of title 5 of the City Charter.

Ald. Hanovan offered the following as a substitute for the preamble and resolution offered by Ald. Bemis:

Whereas, Section 7 of Tittle 5 of the Charter of the city of Buffalo provides that in case of some great public calamity, the Common Council may borrow a sum from the contingent fund, equal to the emergency, for a term not exceeding eighteen months, and shall provide for the repayment thereof, with interest, in and by the next general tax; and,

Whereas, War, one of the greatest public calamities, has fallen upon us; and,

Whereas, It is eminently proper and highly necessary that provision should be made for the support of the families of those brave and patriotic men who volunteer to fight the battles of their country, during the time they may be absent from home; therefore,

Resolved, That the Common Council of the city of Buffalo do hereby borrow from the contingent fund of said city for the year 1861, the sum of fifty thousand dollars, for the purpose of creating a fund to be called the "Volunteer Relief Fund," out of which to furnish such support as may be necessary to the families of those residing in the city of Buffalo at the time of volunteering, as may volunteer to fight the battles of their country during the existing war, during the time such volunteers may be absent from home.

Resolved, That the Comptroller of the city of Buffalo, be and he is hereby authorized and directed to open an account on the books of his office to be called the "Volunteer Relief Fund," and credit thereto the sum of fifty thousand dollars borrowed from the contingent fund.

The following was then offered as a substitute for the preamble and resolutions offered by Ald. Bemis, and the substitute therefor offered by Ald. Hanovan.

Whereas, Civil war has broken out in our country, and traitors are seeking, by armed rebellion, to overthrow the Constitution of the Government of the land, and destroy the liberties of the people; and

Whereas, The President of our country has called upon the several loyal State Governments for men to put down rebellion, and the Governor of our State having promptly, and to its credit favorably responded to that call; and

Whereas, The Governors of several of the States have notified the President of their refusal to furnish men for that purpose,—requiring additional exertions from all loyal States; and

Whereas, Many of our citizens have enrolled themselves for the defense of that Constitution which secures Liberty to all men, to be constrained only by reasonable laws, made by the people themselves; and as there are many more who are anxious to volunteer, but are prevented by the necessitous circumstances which their families might be placed in; and

Whereas, It becomes the duty of our city goverment, and of each and every member of the same, by his oath, to support the Constitution of the United States; and as this Council can do so in no more efficient manner than by urging all its citizens to take up arms in defense of that Constitution, and as our city charter confers on us power, in cases of "great public calamity," to borrow money for defraying the necessary expenses thereof; therefore,

Resolved, That this great public calamity, in the judgment of this Council, fully warrants an extraordinary expenditure (under section 7 of title 5 of the charter,) of money, equal to the present emergency, not contemplated as among the ordinary contingent expenditures of the city government.

Resolved, That this Common Council hereby determines to borrow from the contingent fund of the city the sum of $50,000, for the term of eighteen months, to be used in aiding to furnish board, clothing and other necessary supplies to all who shall volunteer to enter the military service of the country, and who shall be quartered in the city until ordered to actual service by the State, and in aiding and assisting the families of such as shall need our material aid during their absence in the service of their country.

Resolved, That a committee of six Aldermen, with the Mayor as Chairman of the same, shall be appointed to act in carrying out the objects aforesaid, with power to determine who shall receive aid from the city, and all orders shall be drawn in favor of such persons as shall need assistance; or, in extraordinary cases, in favor of the Chairman of such Committee, upon a majority vote of such Committee reporting in favor of the same, and that such Committee, with the City Clerk, be authorized to employ a clerk for such time as they shall deem it necessary, at a salary not exceeding $500 per year, or after that rate, whose duty it shall be to keep an enrolled list of all such persons as shall be entitled to assistance, under the action of the Committee, the time when admitted to such roll, and when discharged therefrom, the amount and nature of aid to be rendered, and time when

given, and that such record and books shall be kept as a record in the City Clerk's office.

Resolved, That the Treasurer and Comptroller of the city of Buffalo be, and they are hereby directed to open an account upon the books in their respective offices, to be called "Fund for the Defence of the Federal Union," and that all orders hereafter drawn on the city Treasury, for the purposes contemplated by these resolutions, shall be drawn and paid by the city Treasurer, and charged to said fund.

Resolved, That any officer or employee of the city government who has or may hereafter enlist in the service of his country under the call aforesaid, their respective offices or places shall not for such cause be deemed vacant; and their respective salaries shall, while such officers or employees are in the employ of the Government be paid them, or to their authorized agents, the same as if they were in the actual service of the city, and until their respective terms of office shall, as now fixed, expire, unless the necessity for their continuing in the army shall sooner cease.

Resolved, That we earnestly invite all able-bodied and patriotic citizens of our city and the surrounding country to come forward and enroll themselves under the banner of our common country, in the present emergency, hereby fully assuring all such as may volunteer that the city of Buffalo will stand by them, and that it will, through its government, fully and liberally carry out, to the letter and spirit, the foregoing preamble and resolutions, and it will do more, if necessary, and all that may be hereafter required, in furthering the objects named.

A. A. HOWARD,
CHAS. E. FELTON.

Ald Bemis withdrew the preamble and resolution presented by him.

The question was then taken on the adoption of the foregoing preamble and resolutions, signed by Ald. Howard and Felton, and the same were unanimously adopted.

AYES—Ald. Adams, Allen, Beckwith, Bemis, Brush, Crowder, Dorr, Felton, Goembel, Grass, Hanovan, Howard, Howell, Mills, Pratt, Russell, Rutter, Savage, Scheu, Schwartz, Storck, Wheeler and Yaw—23.

NOES—None.

On motion of Ald. Dorr, the Common Council then took a recess for one hour.

On the re-assembling of the Common Council, after the recess, there were

Present—Asaph S. Bemis, Esq., President of the Council, and Ald. Adams, Allen, Beckwith, Brush, Crowder, Dorr, Felton, Goembel, Grass, Hanovan, Howard, Howell, Jones, Mills, Rutter, Savage, Scheu, Schwartz, Storck, Wheeler and Yaw.

Absent—Ald. Palmer, Pratt, Russell, and Walsh.

Ald. Felton moved that the President of the Council be added to the special committee for the distribution of funds for the defence of the Federal Union. Carried.

The following was then announced as the said committee:

Mayor Alberger, Ald. Howard, Adams, Dorr, Storck, Felton, Scheu and Bemis.

Ald. Adams then offered the following resolution:

Resolved, That the Common Council do hereby grant the use of the unoccupied portion of the Niagara Market for the purpose of drilling Volunteer Military Companies, and for such other military purposes as may be deemed necessary, subject to the further order of this Council. Adopted.

Ald. Storck moved that the regular order of business be resumed. Carried.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

GENTLEMEN,—On the 1st proximo there will be due Frederick Kull, guardian, $25, rent for Police Station No. 4, and to Edgar C. Dibble, $37 50, rent for Police Station No. 2; and I would recommend that orders be drawn in their favor respectively for the amounts named on the General Fund, Police Department, estimated for 1861, in full payment of such rent.

I also report that the rooms occupied by the Chief of Police have been re rented for the term of three years from April 1, 1861, at the aggregate yearly rent of $215 in quarterly payments. For Police Station No. 2, a brick building and lot on south side of Seneca street, second door east of Louisiana street, has been rented for the term of three years of Jas G. Turner, at the yearly rent of $125 per annum. This change was deemed advisable by the Committee on Police and the undersigned, as the location and building is preferable to the one now rented of E. C. Dibble.

Respectfully,
ALONZO TANNER, Comptroller.

Filed and orders directed to be drawn.

FROM THE CITY ATTORNEY.

In compliance with your direction, I hereby report that my expenses while attending the Court of Appeals in behalf of the city amounted to $71 37. I was necessarily absent three weeks, and during that time I disposed of three cases in said Court, to each of which cases the city was a party.

Respectfully submitted,
GEORGE WADSWORTH,
City Attorney.

Ald. Howard moved that said communication be received and filed, and the subject matter thereof be referred to Committee on Finance. Carried.

FURTHER FROM THE CITY ATTORNEY.

I hereby report that I have examined as to the right of Edward Bennett to hold the office of Policemen and Constable at the same time, and am of the opinion that he cannot legally hold both of said offices. He has a right to elect which he will take, and his election to take one of said offices will vacate the other.

Respectfully submitted,
GEORGE WADSWORTH,
City Attorney.

Filed, and subject matter referred to Committee on Police.

FURTHER FROM THE CITY ATTORNEY.

I hereby report that the judgment recovered by Richard Hornbuckle against the City for $18 44, remains unpaid. I reported to your Honorable Body concerning this judgment on the 11th of February last, and you directed an order to be drawn in my favor on the General Fund of 1860, with which to pay the said judgment. This action was vetoed by his Honor the Mayor, on the ground that the judgment was not obtained in 1860. I now recommend that an order be drawn in my favor on

the General Fund of 1861, City Attorney and Legal expense Department. for $18 44, with which to satisfy said judgment.

I also report that $10 is due Messrs. Greene and Stevens, for costs in the suit of Elizabeth Read against the City, which suit was brought to recover the amount due on certain local orders. On the 4th day of March last, your Honorable Body provided for the payment of said orders, but made no provision for the payment of the costs of the suit. I therefore recommend that an order for $10 be drawn in my favor on the General Fund of 1861, City Attorney and Legal Expense Department, with which to pay said costs.

GEORGE WADSWORTH, City Attorney.

Filed and orders directed to be drawn.

Ald. Howard, by unanimous consent offered the following resolution:

Resolved, That the committee appointed under the resolution of this Council for disbursing the moneys appropriated by the Council for the defence of the Federal Union, be and they are hereby directed to act in concert with the committee of citizens, this day appointed for disbursing the moneys raised by private subscription for the same purpose, and that the citizens' committee be requested to co-operate with the committee of this Council.—Adopted.

Ald Jones asked consent to have his name recorded as voting in favor of the adoption of the preamble and resolutions signed by Ald. Howard and Felton, in relation to raising a fund for the defence of the Federal Union, which preamble and resolutions were presented to and adopted by the Council this day, he being unavoidably absent at the time of the adoption of the said preamble and resolutions.

Ald. Adams moved that the request of Ald. Jones be granted, and that the Clerk be directed to record his name as so requested. Carried.

FROM THE STREET COMMISSIONER.

GENTLEMEN:—In compliance with your direction, the undersigned executed a contract in behalf of the city, with William Mensch, to cart away the dirt, &c., from the paved streets and alleys of the city, until the first day of January, 1864. The bond for the faithful performance of the contract is signed by John Chretien and Charles Chretien, and the contract is herewith submitted for your approval.

L. J. WATERS, Street Commissioner.

Filed and subject matter referred to the Committee on Streets.

FURTHER FROM THE STREET COMMISSIONER.

GENTLEMEN:—On the 24th day of last September the undersigned reported to your honorable body that in accordance with direction of the Council he had obtained permission of Mr. Mann, the owner of the land at the northeast corner of Eagle and Emslie streets, to make the necessary excavation to repair a receiving sewer at the intersection of the north line of Eagle street with the east line of Emslie street, on condition that the repair is made in a substantial manner, so that it shall not be a source of annoyance to him hereafter, and the undersigned estimated the expense at $125. No action has been taken, and it is necessary that the repair should be made forthwith, or much damage may be anticipated.

L. J. WATERS, Street Commissioner.

Referred to the Committee on Sewers.

FURTHER FROM THE STREET COMMISSIONER.

GENTLEMEN,—The undersigned reports that he has caused the following named repairs made at the several expenses hereinafter named, to wit:—

Sewer and receiver repaired at the southeast corner of Johnson park and Johnson place—$10.

Sewer repaired at the southwest corner of Clinton and Pine streets—$4 70.

Sewer repaired in Jersey street, near the northeasterly line of Niagara street—$1 85.

Sewer repaired at the southwest corner of Seneca and Heacock streets—$3 70.

Sewer repaired at northwest corner of Hickory and Cherry streets—$6 58.

Sewer repaired on the north side of Seneca street between Ellicott and Centre streets—$8 58.

Sewer and receiver on the easterly side of Washington street, between street and the Canal, repaired—$4 62.

Sewer and Receiver repaired at the north-west corner of Sycamore and Pratt streets—$4 57.

Sewer and Receiver repaired at the south-east corner of Spring and Sycamore streets—$5 06.

Sewer in Eagle street, at the crossing of Ellicott street—$4 19.

Sewer and Receiver at the north-west corner of Swan and Michigan streets—$5 84.

Receiving Sewer repaired at the south-west corner of Louisiana and Perry streets—$4 09.

Sewer and Receiver repaired at the north-east corner of Virginia and Eleventh streets—$5 98.

Sewer at the north-west corner of Louisiana and Perry streets, repaired—$4 79.

Sewer and Receiver at the north-east corner of Delaware and Virginia streets, repaired—$8 63.

Sewer repaired in Oak street, 50 feet northerly from Virginia street (so called)—$9 18.

Sewer and Receiver repaired at the north-west corner of Washington and Huron streets—$6 37.

Sewer and Receiver at the north-west corner of Batavia and Michigan streets, repaired—$9 43.

Sewer and receiver at the northeast corner of Niagara and Georgia streets, repaired—$8 19.

Sewer and receiver at the northwesterly corner of Eleventh and Pennsylvania streets, repaired—$4 88.

Sewer and receiver at the southeast corner of Ash and Sycamore streets, repaired—$14 20.

Sewer and receiver at the northeast corner of Mohawk and Morgan streets, repaired—$14 73.

Sewer and receiver repaired at the northeast corner of Niagara and Pearl streets—$10 05.

Respectfully submitted,

L. J. WATERS, Street Commissioner.

Referred to Committee on Sewers.

ON STREETS.

Wood culvert repaired across High street, on the westerly side of Jefferson street—$4 78.

Wood culvert repaired across Ferry street, between Hampshire and Massachusetts streets—$6 82.

Wood culvert repaired across Twelfth street, on northwest side of Massachusetts street—$5 28.

Wood culvert repaired across Delaware Place, on the southeasterly side of Virginia street—$2.

Gutter on the westerly side of Main street, at southerly end of the bridge across Scajaquada Creek, repaired—$2 57.

Michigan street repaired, 200 feet northerly from Carlton street—$2 50.

Niagara street repaired, at the junction of Tenth street $3 13.

Seneca street repaired, 50 feet east from Washington street—$1 25.

Michigan street repaired, 50 feet northerly from Burton Alley—$1 25.

Wood Culvert repaired across Genesee street, on the westerly side of Johnson street, continued—$11 89.

Plank road repaired in Swan street, from the easterly termination of the paving in Swan street to the intersection of Seneca street—$100.

L. J. WATERS,
Street Commissioner.

Referred to Committe on Streets.

The Street Commissioner also reported the amount due to Jerry Kelf, as Keeper of Court House Park to April 1st, 1861. Filed and order directed to be drawn.

FURTHER FROM THE STREET COMMISSIONER.

GENTLEMEN: Your attention is respectfully called to the condition of the bridge across Prime Slip on Canal street, between Main and Lloyd streets. The floor that forms the carriageway is nearly worn through, rendering one side unsafe to cross, and requiring almost daily repairs and constant watching; the other side can be made, with a trifling repair, sufficiently safe for the present year. And the undersigned recommend that a new floor be laid on one side of the carriageway, and the other side repaired by substituting new planks where necessary: the expense will probably be about $50.

L. J. WATERS, Street Commissioner.

—Referred to Committee on Streets.

GENTLEMEN.—The undersigned respectfully reports that the bridge constructed in 1857 over the ravine across Clinton street, between Bond street and the New York Central Railroad, has fallen down, obstructing travel at that point, and in pursuance of duty I have taken measures to have it repaired forthwith. The bridge was but a temporary superstructure, and on examination I am satisfied that it cannot be made permanent, and recommend that preliminary action be taken in view of ordering a new bridge constructed of brick or stone.

L. J. WATERS,
Street Commissioner.

Referred to Committee on New Territory.

FROM THE CITY SURVEYOR.

In compliance with your order of April 15th, 1861, I submit the following estimate of the quantities of work for grading, paving, &c., Niagara street, from the north line of Amherst street to the north line of Hamilton street:

Earth excavation—5,110 cubic yards.
Paving, 42 feet wide—28,560 square feet
Curbing—1,276 lineal feet.
Platforms—112 square feet.
Receivers—2.

PETER EMSLIE, City Surveyor.

Referred to Committee on New Territory.

FURTHER FROM THE CITY SURVEYOR.

In compliance with your order of April 15th, 1861, I herewith submit the following grade and profile for Niagara street, between the north line of Amherst street, and the north line of Hamilton street: Commencing at the end of the present paving of Niagara street, at the intersection of the north line of Amherst street, with the center line of Niagara street, at an elevation of 13 10-100 feet above the base line of levels; thence northerly along said center line of Niagara, falling 0.20 feet per 100 feet for a distance of 680 feet to the northerly line of Hamilton street, at an elevation of 11.76 feet above the base line of levels.

Stakes have been set and marked, showing the cutting from the top of the stake to the curb, when set on the above grade.

PETER EMSLIE, City Surveyor.

Referred to the Committee on New Territory.

The Superintendent of Schools reported the pay roll of the teachers in the Public Schools for the last eight weeks of the present term, ending April 25th, total amount $12,089 64.

Ald. Wheeler moved that said communication be received and placed on file, and that orders be drawn.

Ald. Savage moved as an amendment, that the communication from the Superintendent of Schools be referred to the Committee on Schools. Lost.

The motion of Ald. Wheeler was then lost, for want of a two-third vote. Ayes, 17; Noes, 4.

Ald. Adams moved that the vote last taken, be reconsidered. Carried.

Ald. Adams moved that rule No. 31 be suspended for purpose of directing orders to be drawn in favor of the teachers named in the pay roll, submitted by the Superintendent of Schools. Carried. Ayes, 21; Noes, 0.

Ald. Wheeler then moved that the communication from the Superintendent of Schools be received and filed, and that orders be drawn in favor of the persons and for the amounts set forth in said pay roll. Carried.

The Superintendent of Schools also reported the pay roll for sweeping, &c. the public school houses, for quarter ending April 25th.

Referred to Committee on Schools.

FROM THE FIRE MARSHAL.

Gentlemen—I would respectfully report to your honorable body that I have appointed (subject to the resolution of Ald. Yaw, adopted February 11th, 1861,) the following named persons, and ask your confirmationof the same:

March 30th, 1861—Henry S. Riddle, Engineer.
March 30th, 1861—William Waite, Fireman.
April 2d, 1861—John White, Driver of Steam Fire Engine "Niagara."

D. KISSOCK, Fire Marshal.

Ald. Yaw moved that said communication be received and placed on file, and that the nominations therein made, be confirmed. Carried.

The Fire Marshal reported plans of, and proposals for building hose carts, received by him.

Ald. Yaw moved that said communication be received and filed, and that the subject matter thereof be referred to the Committee on Fire with power. Carried.

FURTHER FROM THE FIRE MARSHAL.

Gentlemen—By direction of the Fire Committee, I have contracted with William I. Williams, to build a brick barn on Huron street, in the rear of the building occupied by the steam fire engine "City of Buffalo," for the sum of $372.

D. KISSOCK, Fire Marshal.

Received and placed on file.

The Fire Marshal also reported that he had received the following proposal for furnishing the city with 1,000 feet of linen hose, viz: C. G. Matthews will furnish same at seventy-five cents per foot.

Ald. Yaw moved that said communication be received and filed, and that the subject matter thereof be referred to the Committee on Fire with power. Carried.

The City Clerk reported that he had procured a certified copy of the amendments to the City Charter, and also of the amendments to the act establishing the Recorder's Court, as passed by the Legislature at its last session, and asked that an order be drawn on the Common Council Department, 1861, for $9 25, in his favor, to re-imburse him for amount expended in procuring same. Filed and order directed to be drawn.

The City Clerk also reported that the sum of $33 33 was due to J. W. Stewart, for services as Deputy City Clerk from April 1st to 15th inclusive, and recommended that an order for that sum be drawn in favor of Mr. Stewart. Filed and order directed to be drawn.

The written resignation of J. W. Stewart, of the office of Deputy City Clerk, was presented. Filed and resignation accepted.

Whereupon the City Clerk presented the following:—

To the Hon. the Common Council;—I have appointed George W. Vining, Deputy City Clerk, in place of John W. Stewart, resigned; and ask that such appointment be confirmed.

O. F. PRESBREY, City Clerk.

—Filed and nomination confirmed.

Assessment Roll, No. 2392—For repairing Perry street from Hamburg street to a point 300 ft. easterly therefrom, amount $31; the time for the consideration of which and of the objections thereto had been fixed for to-day, was taken up, and opportunity given to parties interested to be heard.

D. N Clark, Esq., addressed the Council in opposition to the confirmation of said Roll.

Ald. Howard moved that said Roll, No. 2392, be annulled. Carried.

PETITIONS.

Of Albert Ziegle and others to have receiver constructed at the end of the main sewer on Washington street, above Burton Alley. Referred to Committee on Sewers.

Of David Bell and others, to have sidewalk and curbing repaired on both sides of Norton street.

Of A. M. Diehl and others, to have sidewalk constructed on the south side of Ferry street.

Of S. V. R. Watson and others, to have sidewalk constructed on the southerly side of Batavia street. Referred to Committee on Side and Cross Walks

Of Valentine Specht, for a butcher's license.

Of John L. Barnes, for same.

Of Albert Sawin and others, to have same granted to John Hamper. Referred to Committee on License.

Of G. R. Wilson and others, to have provision made to aid the families of those enlisting to fight their country's battles at this time. Referred to the special committee on the distribution of the fund for the defence of the Federal Union.

Of Jacob Bangasser, for a fireman's certificate. Referred to Fire Commissioners, with power.

Mary Koch, for the release of Peter Koch from the Erie County Penitentiary. Laid on the table.

Of C. D Delaney, for permission to remove wooden building on Perry street.

Ald. Savage moved that the prayer of the petition be granted, under the direction of the Street Commissioner, and subject to the further order of the Council. Carried. Ayes, 18; Noes, 0.

REMONSTRANCES.

Of sundry owners of property on Cedar street, against paving the same between Batavia and William streets. Referred to Committee on Streets.

ACCOUNTS REFERRED.

Wm. L. French, for disbursements in District No. 19. Referred to Committee on Schools.

Jerry Kenchener (two accounts,) for cleaning streets in front of vacant lots.

L. Williams, for repairing plank road on Swan street.

Same, for repairing wood culvert across Genesee St., on the westerly side of Johnson street, continued.

George Miller, for repairing Seneca street, 50 feet east of Washington street.

Same, for repairing Michigan street, over the sewer, 50 feet north of Burton's Alley.

Same, for repairing Michigan street, over the sewer, 200 feet north of Carlton street. Referred to Committee on streets.

John Wannop, for repairing receiving sewer at south-west corner of Louisiana and Perry streets.

Same, for repairing sewer at north-west corner of same.

Same, for repairing sewer at north-east corner of Virginia and Eleventh streets.

O. Butler, Jr., for repairing sewer and receiver at north-west corner of Washington and Huron streets.

Same, for repairing sewer and receiver at north-east corner of Delaware and Virginia streets

Same, for repairing sewer and receiver at north east corner of Niagara and Georgia streets

Same for repairing sewer and receiver at north-west corner of Batavia and Michigan streets,

John Swartz, for repairing sewer and receiver at north-west corner of Eleventh and Pennsylvania streets.

Same, for repairing sewer and receiver at north-west corner of Swan and Michigan streets.

Geo. Miller, for repairing sewer on Oak street, 50 feet northerly from Virginia steeet. Referred to Committee on Sewers

W. I. Williams, for repairing cross-walk across Adams street, on southerly side of Genesee street.

Same, for constructing cross-walk across Chippawa St., on westerly side of Michigan street.

Same, for repairing sidewalk on easterly side of Hudson street, between Niagara and Ninth Streets.

Same, for repairing sidewalk on westerly side of Hudson street, between Ninth and Eleventh streets.

L. Williams, for repairing sidewalk on southerly corner of Batavia, between Washington and Ellicott streets. Referred to Committee on Side and Cross-walks.

Hardiker and Toy, for labor, &c., for Fire Department.

James Howells, for wood, &c., for same.

Stephen W. Howell, for midlings for same. Referred to Committee on Fire.

F. G. Pattison, for taking affidavits for Assessors.

John W. Stewart, for extra service in City Clerk's office. Referred to Committee on Claims.

D. S. Reynolds, for commitments to Penitentiary.

N. H. Barnes, for repairing Police Station No. 1. Referred to Committee on Police.

Hardiker & Toy, for altering gas fixtures in City Clerk's office.

Same, for sundries for City Buildings.

Same, for sundries for Chief's office. Referred to Committee on Public Grounds.

Geo. Miller, for repairing gutter on Main street, near bridge across Scajaquada Creek.

Same, for repairing Niagara street, at the junction of Niagara and Tenth streets. Referred to Committe on New Territory.

J. B. Mason, for firing salutes at Lincoln reception. Referred to Special Committee on Reception of President Elect.

REPORTS OF COMMITTEES.

Ald. Howard, from the Committee on Finance, reported in favor of the adoption of the following resolutions:

Resolved, That the Common Council hereby determine and designate the following banks as banks of deposit for the city funds for a period of three years from the expiration of the present contract, to wit: The Clinton Bank, The International Bank, The New York and Erie Bank, The Buffalo City Bank, The White's Bank of Buffalo, The Bank of Attica, The Farmer's and Mechanic's Bank and The Marine Bank, and that the moneys in the City Treasury be deposited in the said Banks, upon the following conditions:

1st. That such moneys be divided as nearly equally among said Banks, from time to time as may be.

2nd. That the said Banks shall pay an interest to the city upon daily balances of five per cent per annum payable semi-annually, on the first days of July and January in each year.

3d. That such banks shall advance to the city from time to time so much money as shall be necessary at all times to make and keep its orders drawn on the General Fund of the city equal to par value, not exceeding at any one time $80,000 in all.

4th. That the said banks shall sell or furnish exchange on the city of New York, so much as it shall need to pay the principal or interest of its funded debt, at the rate of ½ per cent.

5th. That the said banks shall make this arrangement permanent for at least three years, and shall each execute to the city a bond in the penalty of $25,000, conditioned for the safe keeping and punctual payment of such money as shall from time to time be deposited with them, with sureties satisfactory to the Common Council.

Resolved, That the Comptroller and City Attorney prepare a contract to be executed by each of said banks in accordance with the foregoing resolution, and that upon the execution thereof and filing the same with the Comptroller, the City Treasurer be, and he is hereby directed to deposit the money in the City Treasury with said banks in accordance with such resolution.

Ald. Howell moved to amend said report by striking out the 4th subdivision of the first resolution, viz.:—

That the said banks shall sell or furnish exchange on the city of New York, so much as it shall need to pay the principal or interest of its funded debt at the rate of ½ per cent. Carried.

And the report as amended was then adopted.

Ald. Yaw, from the Committee on Streets, reported in favor of the adoption of the following resolutions:—

That the Common Council of the city of Buffalo intend to order an iron or wood swing bridge with stone abutments onstructed across the proposed enlargement of the Buffalo creek, at the toll bridge on Ohio street, and that the City Clerk cause the necessary notice of such intention to be duly published in the city paper. Adopted.

That the City Surveyor is hereby directed to advertise 20 days in the city paper for sealed proposals for constructing a swing bridge across the proposed enlargement o Buffalo creek on Ohio street at the toll bridge; also for the construction of stone abutments for said bridge. Such proposals to be invited for a bridge with one opening and for an iron bridge superstructure, and for a wood bridge superstructure. The entire work to be done in accordance with plans and specifications on file in the City Surveyor's office, and that he report such proposals to this Council. Adopted.

That the wood culvert across Adams street on the northerly side of Batavia street be repaired at an expense not exceeding $5, and that the Street Commissioner is hereby directed to cause the same to be done and report. Adopted.

That the City Assessors assess $635 for the purpose of paying the just compensation awarded to the owners of the land and property taken to lay out and extend Katharine street, from the southerly termination of Katharine street, as now laid out, to a point 551 feet southeasterly from the northerly line of lot No. 192, together with the costs and expenses of ascertainment. Adopted.

That the Common Council of the city of Buffalo intend to order Delaware street gravelled, from Virginia street to Utica street, and the gutters cleared on both sides of said Delaware street, between the above named points, and that the City Clerk cause the necessary notice of such intention to be duly published in the city paper; and that the Street Commissioner advertise ten days in the city paper for doing said work in accordance with the manner named in the petition asking for the said work, and that he report such proposals to this Council. Adopted.

Also, in favor of allowing the following accounts and of drawing orders for the same:

Geo. B. Mitchell, for services at Street Inspector for January—$6.

E. C. Hull, for same—$6.

Barnhardtt Henry, for cleaning streets in front of Public Grounds, &c.—$9 76.

Phillip Schan, for same—$8 07.

George Fisher, for same—$9.

John Fisher, for same—$14 63.

John Erb, for same—$2 63.

William I. Williams, for repairing wood culvert across Delaware Place, on southeasterly side of Virginia street—$2.

Jacob Benzinger, for repairing Batavia street, between the easterly line of Emslie street and a point 300 feet westerly—$30

Alfred D. Morton, for repairing Jefferson street, between Swan and South Division streets—$25.

Geo. Weisenbach, for repairing Exchange street, 50 feet westerly from Michigan ssreet—$1 57.

W. I. Williams, for repairing wall of old Arsenal on Mohawk street—$5 40.

Jno. Scheifer, for services as Street Inspector in January—$6.

Jno B. Sewell, for same—$56 25.

Jno. Erb, for cleaning streets—$10 13

Hiram Barton, for services in laying out Katharine street—$18.

Fayette Rumsey, for same—$18.

W. W. Mann, for same—$15. Adopted.

Also, in favor of the adoption of the following resolutions:

That the Street Commissioner is hereby authorized to employ a second clerk in his office at a salary of $600 for the present year. Adopted.

That the nomination of Gilbert Hyatt as first clerk, and Henry Waters as second clerk to the Street Commissioner is hereby confirmed, and that the said Gilbert Hyatt and Henry Waters are hereby appointed clerks to the Street Commissioner. Adopted.

That an order be drawn on the General Fund Street Department, 1851, in favor of Henry Waters, for $66 66 for salary as clerk to the Street Commissioner for the quarter ending March 31, 1861. Adopted.

Ald. Brush, from the Committee on Sewers reported in favor of the adoption of the following resolutions:

That the Sewer and Receiver at the northeast corner of Wabash and Morgan streets be repaired, and that the Street Commissioner cause the same to be done, at an expense not to exceed $15, and report. Adopted.

That the Sewer and Receiver at the northeast corner of Chippewa and Pearl streets be reconstructed, and that the Street Commissioner cause the same to be done, at an expense not to exceed $82, and report. Adopted.

That the Sewer and Receiver on the southeast corner of Ash and Sycamore streets be repaired, and that the Street Commissioner cause the same to be done at an expense not to exceed $15, and report. Adopted.

That the sewer and receiver at the northeast corner of Niagara and Pearl streets be repaired, and that the Street Commissioner cause the same to be done at an expense not to exceed $11, and report. Adopted.

That the wood culvert across Edward street, on the southerly side of Virginia street, be repaired, and that the Street Commissioner cause the same to be done at an expense not to exceed $8, and report. Adopted.

Also in favor of allowing the following accounts, and drawing orders for the same:

John Swartz, for repairing Sewer and Receiver at northwest corner of Sycamore and Pratt streets,—$4 57.

Same, for same at southeast corner of Spring and Jefferson streets,—$5 06

John Wannop, for same on east side of Washington steeet, between Green street and the canal,—$4 62.

George Weifenback, for repairing sewer in Eagle street at the crossing of Ellicott street,—$4 19. Adopted.

The President of the Council presented a communication from Col. G. T. M Davis of New York, to Wm. M Kasson of this city, stating that the revolvers purchased for "D" Company could not be shipped until an order from the Mayor of the city of Buffalo was received, requesting their shipment.

Whereupon, Ald Howard, by unanimous consent, offered the following resolution:

Whereas, a communication has been presented to this Common Council, advising us that the Police regulations of New York require authority from the Mayor or other proper city officer of this city, to order and receive the quota of Colt's Revolver's heretofore ordered for Company D, of the 74th Regiment, and, whereas, the Mayor of the city is now absent from the city, therefore,

Resolved, That Col. George T. M. Davis be and he is hereby authorized to send by Express to Wm. M. Kasson, Esq., of this city, eighty Colt's Revolvers and the Belts heretofore ordered by him for Company D, and said Kasson is authorized to receive the same for the purposes named.

Resolved. That the City Clerk be directed to deliver to Mr. Kasson a certified copy of this resolution of this Council, and affix thereto the seal of the city. Adopted.

Ald. Swartz, from the Committee on Side and Cross Walks, reported in favor of the adoption of the following resolutions:

That the owners of land on the southwest side of Palmer street, between Maryland and Hudson streets, cause a sidewalk to be repaired, four feet wide, by substituting good hemlock plank, three inches thick, where necessary, within ten days, and if not done in that time, that the Street Commissioner cause the same to be done, at an expense not to exceed $90, and report. Adopted.

That the owners of land on the westerly side of Park street, between Virginia and Allen streets, cause a sidewalk to be constructed, four feet wide, of good hemlock plank three inches thick, where there is not a plank walk in good condition at the present time, within ten days, and if not done within that time, that the Street Commissioner cause the same to be done, at an expense not exceeding $100, and report. Adopted.

That the owners of land on the south-east side of Georgia street, between Fourth and Fifth streets, cause a side walk to be repaired, four feet wide, by substituting good new hemlock plank, three inches thick, where necessary, within ten days, and in case it is not done within that time, that the Street Commissioner cause the same to be done, at an expense not exceeding $15, and report.—Adopted.

That the owners of land on the westerly side of Washington street, between Ohio street and the dock on the northerly side of Buffalo Creek, cause a sidewalk to be constructed, eight feet wide, of good hemlock plank, three inches thick, within ten days, and if not done within that time, that the Street Commissioner cause the same to be done, at an expense not to exceed $85, and report—Adopted.

That the owners of land on the southerly side of Eagle street, between Spring and Jefferson streets, cause a sidewalk to be repaired four feet wide by substituting good new hemlock plank three inches thick, where necessary, within ten days, and if not done within that time, that the Street Commissioner cause the same to be done, at an expense not exceeding $30, and report. Adopted.

That the owner of the land on the southeast side of Lloyd street, between the westerly line of Canal street and the easterly line of Prime street, cause a sidewalk to be reconstructed of good hemlock plank 3 inches thick where not already constructed of stone, within 10 days, and if not done within that time, that the Street Commissioner cause the same to be done, at an expense not exceeding $75, and report. Adopted.

That the owners of the land on the easterly side of Gray street, between Genesee and Batavia streets, cause a sidewalk to be repaired four feet wide by substituting

new hemlock plank 3 inches thick where necessary, within 10 days, and if not done within that time that the Street Commissioner cause the same to be done, at an expense not exceeding $100, and report. Adopted.

That the owners of the land on the southerly side of Genesee street, between Ash and Spruce streets, cause a sidewalk to be repaired 6 feet wide by substituting good hemlock plank 3 inches thick where necessary, within 10 days, and if not done within that time that the Street Commissioner cause the same to be done, at an expense not exceeding $25, and report. Adopted.

That the owners of land on the northerly side of William street, between Sherman and Stanton streets, cause a sidewalk to be repaired 4 feet wide by substituting good new hemlock plank 3 inches thick, where necessary, within 10 days, and if not done within that time that the Street Commissioner cause the same to be done, at an expense not exceeding $50, and report Adopted.

That the owners of land on the northerly side of William street, between Krettner and Sherman streets, cause a sidewalk to be repaired in front of their respective lots 4 feet wide by substituting new hemlock plank 3 inches thick, where necessary, within 10 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $50, and report. Adopted.

That the owners of land on the northerly side of William street, between Emslie and Krettner streets, cause a sidewalk to be repaired in front of their respective lots, 4 feet wide, by substituting new hemlock plank 3 inches thick, where necessary, within ten days, and if not done in that time, that the Street Commissioner cause same to be done, at an expense not to exceed $50, and report. Adopted.

That the owners of the land on northerly side of William street, between Watson and Emslie streets, cause a sidewalk to be repaired in front of their respective lots, 4 feet wide, by substituting new hemlock plank, 3 inches thick, where necessary, within ten days, and if not done in that time, that the Street Commissioner cause same to be done, at an expense not to exceed $50, and report. Adopted.

That the plank crosswalk across Krettner, Stanton and Emslie streets, on northerly side of William street, be repaired, at an expense not exceeding $8 each, and that the Street Commissioner cause the same to be done and report. Adopted.

That a plank crosswalk be constructed across Clinton street, on the easterly side of Smith street, at an expense not exceeding $10, and that the Street Commissioner cause the same to be done and report. Adopted.

That the crosswalk across Bond street, on the northerly side of Clinton street, be repaired, at an expense not exceeding $8, and that the Street Commissioner cause the same to be done and report. Adopted.

Also reported relative to the subject matter of repairing the sidewalk on the easterly side of Elm street between Goodell and High streets, and submitted the following resolution:

That the Committee be discharged from the further consideration of said subject, and that the City Assessors be directed to complete the assessment for said improvement. Adopted.

Ald. Yaw, from the Committee on Fire, reported in favor of the adoption of the following resolution:

That permission is hereby granted to John Hanley to construct a wooden cottage, 20x30 feet, on the north side of Perry street, about 200 feet westerly from Chicago street, the same to be done under the direction of the Fire Marshal, and subject to the further order of the Council. Adopted. Ayes, 15; Noes, 0.

Ald. Howard moved that when this Council adjourns it adjourn to meet to-morrow, Tuesday, April 23d, 1861, at 3 o'clock P. M., and that the Committee on Markets be directed to postpone the leasing of the stalls in the several markets until after such meeting.

Ald. Savage moved as an amendment to make the time half-past 2 o'clock instead of 3 o'clock. Carried.

And the motion of Ald. Howard as so amended was then carried.

Ald. Hannovan, by unanimous consent, offered the following:—

Whereas, A crisis has arrived in the history of this Government.

And, whereas, Every man living under the Constitution of these United States is a joint heir to all its blessings, and an equal participator in its weal or woe, and believing that "Eternal Vigilance is the Price of Liberty," and that "our faith is dead without our works,"

And, whereas, Many brave men of our city are preparing to march to the field of battle, there to peril their lives in fighting for those blood-bought rights transmitted to us by our glorious ancestors; thereby leaving to our fostering care and protection "their wives and little ones," Be it therefore,

Resolved, That this Council do hereby tender to the families of those brave men their warmest and most heartfelt sympathies; and as an earnestness of this, we do hereby, each and every member of this Council donate to such families the amount of our several salaries as Aldermen for the year 1861, of One Hundred Dollars each making in the aggregate the sum of Two Thousand Six Hundred Dollars; said sum to be disbursed in the discretion of a special committee, to be hereafter appointed by this Council.

Pending the discussion on the foregoing preamble and resolution offered by Ald. Hanovan, the hour of 7 o'clock, P. M. arrived, and the President declared the Common Council adjourned to meet to morrow, Tuesday, April 23d, 1861, at half-past 2 o'clock, P. M.

O. F. PRESBREY, City Clerk.

SPECIAL MEETING.

IN COMMON COUNCIL,
BUFFALO, Thursday, April 25, 1861,
At 4 o'clock P. M.

Present, Asaph S. Bemis, Esq., President of the Council, and Ald. Adams, Allen, Beckwith, Brush, Crowder, Dorr, Felton, Grass, Howard, Howell, Jones, Mills, Palmer, Pratt, Rutter, Scheu, Schwartz, Storck, Walsh, Wheeler, and Yaw.

Absent—Ald. Goembel, Hannovan, Russell, and Savage.

The reading of the minutes of the last meeting was dispensed with.

COMMUNICATIONS FROM THE MAYOR.

MAYOR'S OFFICE,
Buffalo, April 24, 1861.

To the Hon. the Common Council:

GENTLEMEN,—An order has been received by the 74th

Regiment, New York State Militia, to report at Elmira on the 1st May next, and it is understood that this Regiment must be uniformed or they will not be received.

The Joint Committee of your honorable body and of citizens appointed to superintend the disbursements of the money raised for the defence of the "Federal Union," have come to the conclusion that the resolutions adopted by your honorable body and the terms under which subscriptions were made by citizens, do not authorise or warrant them to make the expenditure necessary to clothe this Regiment, or the 65th if ordered on duty, and they have requested me, as Chairman of the Committee, to call your immediate attention thereto.

The necessities of our Government demand that every exertion should be made to get men into the field at once, and as this regiment is composed of our young and active citizens who have been reared among us, it is incumbent upon us, as patriotic citizens, to equip them in a suitable and proper manner—worthy of the cause in which they are engaged and creditable to our city. I transmit, herewith, a copy of the resolution adopted (unanimously) by the Joint Committee, and respectfully recommend immediate action.

Respectfully submitted,

F. A. ALBERGER, Mayor.

"*Resolved*, As the sense of this joint committee, that they have not the power to disburse any portion of the fund committed to their charge, for the purpose of equipping the 74th or 65th regiments, or any military force raised for the defence of the Federal Union, and they recommend further action in reference to the question of equipment to be taken by the Common Council." Communication and resolution laid upon the table temporarily.

FURTHER FROM THE MAYOR.

MAYOR'S OFFICE,
BUFFALO, April 24, 1861.

To the Hon. Common Council:

GENTLEMEN:—Summons has been served upon me to appear before Charles Gardner, Esq., on the 30th day of April next, to answer to the demand of Adam Kann.

I have also been served with a notice of foreclosure of mortgage, in which the estate of Samuel F. Gelston is the defendant. I have transmitted the papers to the City Attorney. Respectfully,

F. A. ALBERGER, Mayor.

Filed and Attorney directed to defend, if in his opinion it is advisable.

ACCOUNTS REFERRED.

Roby Dewey, for services as driver of steamer City of Buffalo. Referred to Committee on Fire.

Buffalo Light Artillery, for firing salutes at reception of President elect. Referred to Committee on Reception of President Lincoln.

REPORTS OF COMMITTEES.

Ald Howell, from the Committee on Claims, reported in favor of allowing the following accounts, and of drawing orders for the same:

R. P. Greenhalgh, for services as Porter to City Buildings—$5 19.

Valentine Young, for feather dusters for Superintendent's office—$2 50.

Same for same, for Receiver's office—$1 62.

Alonzo Tanner, for disbursements—$8 76. Adopted.

Also, in favor of remitting $18 of a fine imposed on Frank Huenfeld, for a violation of the Ordinances in relation to the sale of fresh meat.

Laid upon the table temporarily. The said resolution was afterwards taken up and referred to Committees on Finance and Claims.

Ald. Mills, from the Committee on Police, reported in favor of allowing the following accounts, and of drawing orders for the same:

Benjamin Toles, for commitments to the Penitentiary—$10 88.

N. Wilgus, for paper, &c., for Chief's office—$20 44.

C. Bull, for coal for same—$5 75. Adopted.

Also, in favor of directing that Police Station No. 2 be repaired, under the direction of the Chief of Police.—Adopted.

Ald. Crowder, from the Committee on New Territory, reported in favor of the adoption of the following resolutions:

That the Common Council of the City of Buffalo intend to order Niagara street repaired, from the northerly line of Hamilton street to the centre line of Bird street, by planking a roadway ten feet wide with good pine or hardwood plank, three inches thick.

Also, that the Common Council of the City of Buffalo intend to order Niagara street repaired, from the centre of Bird street to the Cornelius Creek, by planking a roadway ten feet wide, with good pine or hardwood plank, three inches thick, and that the City Clerk cause the necessary notice of each of said improvements to be duly published in the city paper, and that the City Surveyor is hereby directed to estimate the probable expense of each of said works, and report the same to this Council. Adopted.

That the owners of any building or other obstructions, except fences, in Vermont street (as a 6 rod street,) between Fourth and Rogers streets, be directed to remove the same within 60 days (after notice of the passage of this resolution) and if not done in that time, that the Street Commissioner cause the same to be removed, and report the expense, and that the Street Commissioner notify the owners of the passage of this resolution. Adopted

Also, in favor of allowing the following accounts and of drawing orders for the same:

Isaac Holloway, for constructing receiving sewer from a point on the east side of Niagara street, opposite Sloan street, across Niagara street, through the centre of Sloan street to the Erie Canal—$200.

W. I. Williams, for repairing wood culvert across High street, on the westerly side of Jefferson street—$4 78.

Same, for repairing wood culvert across Ferry street, between Hampshire and Massachusetts streets—$6 82.

Same, for same across Twelfth street, on the northwest side of Massachusetts street—$5 28. Adopted.

That the Street Commissioner cause the wood culvert to be repaired across North Adams street, on the southeasterly side of California street, at an expense not exceeding $6, and report. Adopted.

That the Street Commissioner cause the crosswalk across North Washington street, on the northwesterly side of Ferry street, to be repaired at an expense not exceeding $6, and report. Adopted.

On motion Charles Marvell and Matthias Beigler were appointed temporary Sergeants-at-arms, for the purpose of procuring the attendance of absent members.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Scheu—That the sidewalk on the southerly side of Genesee street, between Pratt and Spring streets, be repaired. Referred to Committee on Side and Cross Walks.

By Ald. Allen—That the City Surveyor and Chairman of the Committee on Wharves, Harbors amd Ferries, be directed to advertise for six days in the official paper, for proposals for dredging Buffalo Creek, from the west end of the North Pier to the southerly side of South street, in accordance with plan and survey on file in the City Surveyor's office, such proposals to be for dredging per cubic yard, to be measured by the dump boat. Adopted.

By Ald. Swartz—That a crosswalk be constructed across Colton street, on the east side of Elm street. Referred to Committee on Side and Cross Walks.

By Ald Howard,—

Resolved, That the resolution of this Council, passed April 22, 1861, in relation to extending the continuance of salaries to such city officers, or other city employees, as have, or may hereafter enlist in the service of their country, while they are in such service, and a restoration to them of their respective places, on their return from such service be, and the same is hereby modified and amended, so that the same apply only to such persons, city officers as are now in the employ of the city, and also so that such continuance of salary shall in no instance extend beyond the first day of January, 1862. Adopted: ayes, 21; noes, 0.

Ald. Adams moved that the communication from the Mayor, presented to the Council this day, and laid upon the table, be now taken up. Carried.

The said communication was then received and placed on file.

Whereupon Ald. Bemis offered the following:—

Whereas, The Joint Committee of the Common Council and Citizens' Committee having in charge the disbursement of the joint fund appropriated by the Council and subscribed by the citizens, have been applied to for aid to uniform the 65th and 74th Regiments of New York State Militia; and

Whereas, The said Joint Committee do not regard the fund committed to their charge as applicable to the emergency above-named, and cannot in their discretion be appropriated by said Committee for the purposes aforesaid; and

Whereas, This Council, believing it to be the wish of our citizens that our citizen soldiers of Buffalo, who desire to enter the service, should be fully uniformed and equipped for war service, and ready to march at the call of their country; and

Whereas, The 65th and 74th Regiments of New York State Militia, at Buffalo, are ready so to march, but are in need of suitable uniforms for war service, and the said 74th regiment having been already ordered to report at head-quarters at Elmira, on the 1st of May next—and it is believed that the said 65th Regiment will soon be called; and

Whereas, A great public calamity exists in the nature of rebellion and civil war against the Federal Union, threatening the property, liberty and lives of our own citizens; therefore, be it

Resolved, that the Common Council of the City of Buffalo do hereby further borrow from the contingent fund of the finances of the city, the sum of thirty-five thousand dollars, ($35,000) with which to procure uniforms for the purposes and uses of war service, when needed by the 65th and 74th Regiments N. Y. State Militia. And the Comptroller and Treasurer of the city are hereby directed to transfer the sum of $35,000 to the fund for the defence of the Federal Union, for the purpose aforesaid, and that only. And be it further

Resolved, That the joint committee of the Common Council and citizens committee be, and they are hereby authorized and directed to procure uniforms for war service for the 74th Regiment N. Y. S. Militia, at a rate per man not exceeding, in the aggregate, $17,500, and report to this Council—said 74th Regiment having been ordered to march. And further—

Resolved, That if the said 65th Regiment shall be ordered into the war service, as aforesaid, then the said joint committee are hereby authorized and directed to procure and furnish, at the rate provided for said 74th Regiment, suitable uniforms for the said 65th Regiment, and report to this Council.

Ald. Storck offered the following as a substitute for the second and third resolutions, contained in the foregoing preamble and resolutions, offered by Ald. Bemis:

Resolved, That the joint Committee of the Common Council and citizens Committee, be and they are hereby authorized and directed to procure uniforms for war service for the 74th and 65th Regiments N. Y. S. Militia, at a rate per man not exceeding in the aggregate $35,000, and report to this Council.

Ald. Howard moved to amend the substitute offered by Ald. Swartz, so that the same shall read as follows:

Resolved, That the joint Committee of the Common Council and citizen's Committee be, and they are hereby authorized, in their discretion to procure uniforms for war service for the 74th and 65th Regiments, N. Y. S. Militia, at a rate per man not exceeding in the aggregate $35,000; or either, at the rate per man not exceeding in the aggregate $17,500, and report to this Council. —Carried.

The substitute offered by Ald. Storck, as so amended, was then adopted.

And the preamble and resolutions offered by Ald. Bemis, as amended by the amended substitute of Ald. Storck, was then adopted. Ayes, 22; Noes, 0.

On motion of Ald. Adams—

The Common Council then adjourned to meet next Monday afternoon, April 29 1861, at 2 o'clock.

OTIS F. PRESBREY, City Clerk.

MINUTES No. 17.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, April 29, 1861,
at 2 o'clock, P. M.

Present—Asaph S. Bemis, Esq., President of the Council; and Ald. Adams, Allen, Beckwith, Brush, Crowder, Dorr, Felton, Goembel, Grass, Hanovan, Howell, Jones, Mills, Palmer, Rutter, Savage, Scheu, Schwartz, Storck, Wheeler, and Yaw.

Absent—Ald. Howard, Pratt, Russell, and Walsh.

The minutes of the meeting held April 22d, and of the special meeting held April 25th, 1861, were approved.

COMMUNICATIONS FROM THE MAYOR.

GENTLEMEN—I am requested by the Joint Committee appointed to superintend the distribution of the fund raised for the purpose of procuring uniforms for the 74th Regiment, &c., to ask that your honorable body direct orders to be drawn in favor of their Treasurer, Samuel F. Pratt, Esq., for the following amounts:

An order for $1,652 72; do. for $48; do. $20.

The first to pay for blankets purchased by the Committee for the 74th Regiment; the second to pay the expenses of a sub-Committee sent to New York to make purchases of uniforms, &c.; the third to pay the expenses of a sub-Committee sent to Albany to confer with the Governor upon military affairs.

Very respectfully,
F. A. ALBERGER, Mayor.

Filed and orders directed to be drawn.

FURTHER FROM THE MAYOR.

GENTLEMEN—I return to you, without approval, the following resolutions, adopted on the 8th inst:

One directing an order to be drawn in favor of Adam Karn, for removing dead animals from the streets, in December, 1860, on the General Fund of 1861.

An order in favor of F. Schickendants, for keeping Pest House in December, 1860. Order on General Fund, 1861,

Also, an order in favor of C. C. Wyckoff, late health physician, for services in 1860. Order on General Fund 1861.

The objection to the above resolutions is, that the services were performed in 1860, and should have been provided for in that year, and not be paid from the Board of Health fund of 1861.

Respectfully submitted,
F. A. ALBERGER, Mayor.

Referred to the Committee on Sanitary Measures, together with the City Attorney.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

GENTLEMEN—There will be due on the 1st proximo, James F. Chard, Deputy Comptroller, $66 67; James Inglis, Book-keeper, $58 33; Wm. H. Slade and Louis L. Trowbridge, Clerks, each $45. On the 29th ult. I employed Herbert Brooks as assistant book-keeper, and there will be due him, on the said 1st May, $45. It is recommended that my action be approved and that orders be drawn in favor of the parties, respectively above named, for the said amounts, on the general fund estimates, 1861, Comptroller's Department, in full payment for services named.

I also report that there will be due on said 1st day of May, to William Fleming, Auditor, $75, being his salary for the month of April, and I recommend that an order be drawn in his favor for said amount, on the General fund, 1861, Auditor's Department, in full payment of such salary.

Respectfully,
ALONZO TANNER, Comptroller.

Filed and recommendation adopted.

The Street Commissioner reported the amounts due the employees in his office, for services for month of April.

Filed and orders directed to be drawn

FURTHER FROM THE STREET COMMISSIONER.

GENTLEMEN—In compliance with your direction, the undersigned advertised for proposals to furnish suitable grounds for one or more public pounds, and no proposals were submitted.

Respectfully submitted,
L. J. WATERS,
Street Commissioner.

Referred to Committee on Streets.

The City Surveyor reported the amounts due the employees in his office for the month of April.

Filed and orders directed to be drawn.

FURTHER FROM THE CITY SURVEYOR.

In compliance with your order of April 25th, I submit the following estimate of the cost of repairing Niagara street, between the northerly line of Hamilton street and the centre of Bird street, and from the centre of Bird street to Cornelius Creek, by planking a roadway, ten feet wide, with good hardwood plank, three inches thick, and three hardwood longitudinal stringers, three by six inches square.

From the north line of Hamilton street, to the centre of Bird street, 1,746 feet, at fifty cents per foot—$873.

From the centre of Bird street to Cornelius Creek, 1,664 feet, at fifty cents per foot—$832.

Respectfully yours,

PETER EMSLIE, City Surveyor.

—Referred to Committee on New Territory.

The receiver of Taxes reported the amounts due the employees in his office, for services for Month of April. —Filed, and orders directed to be drawn.

The City Clerk reported the amounts due to the employees in his office, to the porters of the City Buildings, and to the Harbor Masters, for their respective services for month of April.

Filed and orders directed to be drawn.

The City Clerk also reported that the following named assessment rolls had remained on file in his office more than ten days, since the first publication of a notice in the city paper, that the same were so filed, and that persons interested therein might file applications for the correction of the same, and that no such applications had been filed with him, viz:

No.	Amount ordered by Common Council.	Amount added by Assessors.	Total amount of Assessment.
2395. For removing obstructions to the navigation of Scajaquada Creek, under the Bridge across said Creek on Niagara street	$125 00	$2 00	$127 00
2396. For repairing the plank sidewalk on the easterly side of Michigan street, between Sycamore and Genesee street	49 67	1 33	51 00

The following communication from the City Attorney was received:

I hereby report that I have examined an abstract of the proceedings of your honorable body, in regard to Assessment Rolls Nos. 2395, 2396, and 2397, and am of opinion that said proceedings have been regular, and in accordance with the provisions of the Charter, so far as Nos. 2395 and 2396 are concerned. I am of opinion that your proceedings as to Roll No. 2397, have been irregular for the following reasons: Section 25, of Title 8, confers upon your honorable body power to construct, repair, and maintain public pumps and wells, but Section 33 of the same Title provides that "no work exceeding the amount of $200, shall be contracted for under this Title, until the assessment therefor shall have been confirmed by the Common Council." This assessment has not yet been confirmed, but your honorable body ordered the work Dec. 3, 1860, and I am informed that work to the amount of $247, has been already contracted for, and actually performed upon said well, in violation of the provisions of said Section 33, of Title 8.

Respectfully submitted,

GEORGE WADSWORTH,

City Attorney.

Ald Swartz moved that the Assessment Rolls, reported in the foregoing communication from the City Clerk, be confirmed. Carried.

The City Clerk also reported that the following named Assessment roll had remained on file in his office more than ten days, since the first publication of a notice that the same was so filed, and that R. H. Maynard and eight others had filed an application for the correction of the same—viz:

No 2397. For repairing and maintaining the public well and pump at the corner of Sycamore and Pratt Streets, $262 00.

Time for consideration fixed for two weeks from to-day.

The City Clerk also reported the account of William Miller for keeping the Pest House from January 14th, 1861, to April 29th, 1861, (15 weeks—)$60—as having been audited by Board of Health, and by them directed to be referred to the Council with a request that the same be paid. Referred to Committee on Sanitary Measures.

Also, that a nuisance was reported to the Board on lot on Jackson street, 20x100 feet, beginning 120 feet north of Genesee street—caused by standing water. The Board recommend that the same be abated forthwith by either filling the lot or by sewering the same into Jackson street sewer. Referred to Committee on Sanitary Measures.

The City Clerk also reported a very bad nuisance on a lot on the northerly side of Virginia street, beginning 100 feet east of Ninth street, 67 feet front on Virginia street, by 91½ feet deep, assessed to I. T. Hatch—nuisance consists of standing water in a stagnant condition. Referred to Committee on Sanitary Measures.

The Overseer of the Poor reported the amounts due to the employees in his office, for services for the month of April. Filed, and orders directed to be drawn.

The written resignation of Wm. Fleming, of the office of Auditor, such resignation to take effect May 1, 1861, was presented. Filed, and resignation accepted.

Ald. Storck moved that the Common Council do now proceed to appoint by ballot an Auditor to fill the vacancy occasioned by the resignation of Wm. Fleming. Carried.

The Common Council then proceeded to ballot for Auditor, and on such balloting,

Jacob L. Barnes	received	6 votes.
John W. Meyer	"	6 "
R. W. Stevens	"	1 vote.
G. W. A. Meyer	"	1 "
Jacob Meyer	"	1 "
A. A. Howard	"	3 "

No person having received a majority of all the votes cast the Common Council again proceeded to ballot for Auditor, and on such balloting John W. A. Meyer received 11 votes; Jacob L. Barnes received 8 votes, and the said John W. A. Meyer having received a majority of all the votes cast, was declared to be duly appointed Auditor for the City of Buffalo, to fill the vacancy occasioned by the resignation of Wm. Fleming.

The written resignation of Edward Bennett of the office of Constable of the Eighth Ward was presented.

Ald. Felton moved that the said communication be filed and the resignation accepted, and that the Common Council do now proceed to appoint—by ballot—a Constable for the Eighth Ward, in place of Edward Bennett, resigned. Carried.

The Common Council then proceeded to ballot for Constable for the Eighth Ward, and on such balloting, Peter Deitrich received 21 votes, and the said Peter Deitrich was declared to be duly appointed Constable for the Eighth Ward, in place of Edward Bennett, resigned.

PETITIONS.

Of Wm. P. Fisher, for a declaration of sale, on lot on the west side of Oak street, part of outer lot, No. 139, 22 81-100 feet north of Genesee street, 40 feet front by 150 feet deep.

Of A. C. Moore, to have tax paid on lot No. 119, refunded. Referred to the Committee on Finance.

Of John Stellwagen, for permission to move a wooden building from Franklin street to Ellicott street.

Of E. W. Ensign, for permission to erect a wooden barn on Washington street, above Virginia street. Referred to Committee on Fire.

Of sundry persons, in relation to public well at corner of Sycamore and Pratt streets. Referred to Committee on Water.

Of Gotleib Wollfle, for a license to sell fresh meat at the corner of Amherst and Dearborn streets. Referred to Committee on License.

Of sundry persons, to have nuisance abated on lot, on south side of Best street, 100 feet west of Elm street. Referred to Committoe on Sanitary Measures.

Of sundry persons, for an appropriation to equip nurses to attend the 74th Regiment. Referred to joint committee of Council and Citizens, in relation to Federal Union.

Petition of E. Madden and others, for the release of Jeremiah Kane from the Erie Co. Penitentiary.

Ald. Felton moved that the prayer of the petition be granted. Carried. Ayes, 20; Noes, 0.

Petition of E. J. Faxon, for the release of Alexander Travis from the Erie County Penitentiary.

Ald. Yaw moved that the prayer of the petition be granted. Carried. Ayes, 20; Noes, 0.

Petition of Mary Koch, for the release of her husband, Peter Koch, from confinement in the Erie Co. Penitentiary.

Ald. Storck moved that the prayer of the said Petition be granted. Carried. Ayes, 19; Noes, 0.

ACCOUNTS REFERRED.

P. A. Balcom, for rent of building in School District No. 16.

Clapp, Matthews & Waite, for printing School Report.

Wesley Emmons, for repairs at School House No. 18, Referred to Committee on Schools.

John Schwartz, for repairing gutter and culvert at the south-west corner of Clinton and Madison streets. Referred to Committee on Streets.

John Wannop, for repairing sewer and receiver on the south-east corner of Washington Square and Ohio street.

George Miller, for repairing sewer and receiver on the East side of Oak street, at the intersection of the north line of Virginia street.

Same, for repairing sewer and receiver at the north-west corner of Michigan street and Burton Alley.

Same, for repairing sewer and receiver at north-west corner of Batavia and Pratt streets.

Jonn Wannop, for repairing sewer and receiver at the north-east corner of Elk and Illinois streets.

Same, for repairing sewer and receiver at the north-east corner of Moore and Miami streets. Referred to Committee on Sewers.

D. C. Godwin, for repairs for Fire Department.

D. W. Waterman, for same.

Hart, Ball & Hart, for same.

S. Hemenway, (2), for Horses, &c., for same. Referred to Committee on Fire.

Hart, Ball & Hart, for repairs for City Offices.

Clapp, Mathews & Waite, for Printing Index to Minutes of 1860.

Hardiker & Toye, for repairs on Mayors office.

Cortland Lake, for service in Superior Court.

W. Granger, for expenses to Albany.

C. S. Macomber, for Service and Disbursements. Referred to Committee on Claims.

James Van Valkenburgh, for Commitments to Penitentiary.

Hart, Ball & Hart, for Repairs at Police Station No 1. Referred to Committee on Police.

S. R. Curtiss, for removing obstructions from Buffalo Creek. Referred to Committee on Wharves, Harbors and Ferries.

J. S. Provoost, for Ensign. Referred to Committee on Public Grounds.

Charles Groben, for Lighting, &c., Public Lamps in April. Referred to Committee on Public Lamps

REPORTS OF COMMITTEES.

Ald. Wheeler, from the Committee on Schools, reported in favor of allowing the following accounts, and of drawing orders for the same:

Valentine Young, for feather dusters for schools—$25.

Elder & Stearns, for sundries for same—$3 25.

W. Emmons, for labor at sundry school houses—$86 80.

Felthousen & Russell, for same (on account)—$227 99.

Sundry persons, for cleaning and sweeping school houses, for term ending April 25th—$539 42. Adopted.

Ald. Swartz, from the Committee on Side and Cross Walks, reported in favor of the adoption of the following resolutions:

That the owners of land on the southerly side of Burton Alley, between Washington and Oak streets, cause a sidewalk to be constructed, four feet wide, of good hemlock plank, three inches thick, within ten days, and if not done within that time that the Street Commissioner cause the same to be done, at an expense not exceeding $100, and report. Adopted.

That the owners of land on the southerly side of Genesee street, between Pratt and Spriag streets, cause a sidewalk to be repaired by substituting good hemlock plank, three inches thick, where necessary, within five days, and if not done in that time, that the Street Commissioner cause the same to be done, at an expense not exceeding $15, and report. Adopted.

That the Street Commissioner cause a plank crosswalk to be constructed across Colton street, on the easterly side of Elm street, at an expense not exceeding $8, and report. Adopted.

Ald. Yaw, from the Committee on Fire, reported that the said Committee had directed the Fire Marshal to contract with A. B. Rowe to construct a barn on Huron st., at his bid—$330—said Rowe to give satisfactory security for the faithful performance of such contract, and if not done within five days, that the Fire Marshal give the contract to W. I. Williams, at the sum of $372, under the same conditions. Filed, and action approved.

Also, in favor of allowing the following accounts, and of drawing orders for the same:

Paul Ryan, for one horse for Fire Department—$100.

Fred. Mensch, for hay, &c., for same—$57 79.

DeForest & Coye, for coal for same—$85.

J. H. Carpenter, for harness, &c., for same—$183 24.

Elder & Stearns, for blankets, &c., for same—$37 65.

Thos. M. Ottley, for oats for same—$15.

F. C. Candee, for nails, &c., for same—$0 92.

David Bell, for repairing steamer Wells—$15 75.

Geo. M. Love, for services as Fire Marshal in 1861.—Charged at $18 75; allowed at $16 25.

Asa White, for services as driver of steamer Wells in January—$6 25.

Chas. Crawford, for use of horses for steamer. Allowed at $52 50.

Hardiker & Toy, for repairs for Fire Department—$1 06

Roby Dewey, for services as driver of steamer—$19 16.

S. W. Howell, for middlings for Fire Department—$10.

James Howells, for wood for same—$10. Adopted.

Also, in favor of the adoption of the following resolutions:

That if this city *purchases* the two steam Fire Engines alluded to in the resolution of Ald. Yaw, adopted Feb 25th, 1861, it will pay the interest on all sums remaining unpaid from the date of the first lease or leases of the said Engines, to the time of the final payment, said interest to be computed the same as if the city had *bought* the said Engines for Three Thousand Dollars each, at the time they were first leased. Adopted.

That Neptune Hose Company No. 5 be, and it is hereby authorized under the approval of the Fire Marshal, to repair the Engine House formerly occupied by Engine Co. No. 1, at an expense not to exceed One Hundred Dollars. Adopted.

Ald. Allen moved that the report from the Committee on Wharves, Harbors, and Ferries, in relation to Ferry across Niagara River, presented to the Council at its meeting held April 3rd, 1861, and at that time laid upon the table, be now taken from the table. Carried.

The following is the said report:

The Committee on Wharves, Harbors and Ferries, to whom was referred the subject of a Ferry across Niagara River at Black Rock, opposite Fort Erie, Canada side, on sundry petitions, remonstrances, &c., would beg to report as follows:

That in our opinion, the increased business wants of the people on both sides of the River require much better facilities for crossing at the point above named, than have heretofore existed. The lease of the present incumbent expires May 1st, next. We would recommend that the Ferry be leased to some party or parties from that time, for a term of years as this Council may determine, who will put on and maintain a new, good and substantial modern built Ferry Boat, of good speed, capable of crossing the river at all times, and suitable to the wants of business, to be run to meet the accommodation and wishes of the people on both sides of the river, of not less than one hundred feet in length, (100) and (35) thirty-five feet wide over guards and all, and eight (8) feet hold, with wide gangways and roomy decks, to allow loads of hay or any other material to drive on with ease, and to provide good and safe gang-planks, with side protections to them to allow passengers, teams or stock to go on and off the boat with ease and safety; the boat to be a side wheel one and to be propelled with a powerful, good engine and boilers, and the boat to be furnished with suitable small boats to be hoisted on cranes or davitts, so they can be lowered easily and readily in case of need, and to be furnished with means to extinguish fires, with life preservers, and all modern contrivances to preserve life and to avoid accidents; the space between decks to be of good height to allow ordinary loaded teams to drive under cover, and that the boat be partially decked over for that purpose, and that a suitable, good cabin be provided for the accommodation of passengers. And further, that we recommend that the boat be run from the foot of Albany, Ferry or Breckenridge streets, as this Council may deem best; that the party or parties to whom the grant is made be compelled to build a swing bridge across the Black Rock Harbor at the point where the Ferry is to land, to be designated by this Council, and to grade the street designated by this Council at the foot of which this Ferry is to be located, at a grade not to exceed seven feet to the hundred, and to plank, pave or macadamise the same; the boat equipment, the landing, the approaches to the Ferry, the bridges, and everything connected with it, to be constructed and kept in perfect repair during the term of the lease, by the party or parties holding the same solely; the boat to be run from sunrise in the morning from the first day of April to the first day of December, to eight o'clock in the evening, every thirty minutes, and from the 1st day of December to the 1st day of April, from sunrise till seven o'clock in the evening, every thirty minutes; and to run after the hours above named the year round, as this or a subsequent Council may determine necessary to meet the real wants and accommodations of the business. The lease to be granted to them by this Council contingent upon the faithful performance and fulfillment of all its provisions, and liable to be revoked by this Council on the wilful and persistent violation of it. We would recommend that a lease be made for a term of years as this Council may determine, to responsible parties, who are willing to take the same, and give such security as this Council may deem necessary; but it is the opinion of this Committee that the investment of the party or parties accepting the lease would have to make by the conditions of the lease, and its stringent provisions, would be ample security for its faithful performance, without any additional security. We would recommend the following tariff of prices to be attached to the lease as one of its conditions:—

For each adult foot passenger crossing said river, 5 cents.

Children, each, 3 cents.

Horse and rider, 10 cents.

Vehicle and driver, drawn by one horse, 15 cents.

Vehicle and driver, drawn by two horses, 25 cents.

Vehicle and driver, drawn by four horses, 35 cents.

Passengers in any vehicle, each, 5 cents.

For each barrel bulk, 5 cents.

Grain in bags, except when loaded on a wagon or other vehicle, ½c ℔ bushel.

All articles not enumerated, ℔ barrel, bulk, 5 cents.

Cattle, horses or mules, each, 5 cents.

Hogs and sheep on foot, each, 2 cents.

We would recommend that the City Clerk advertise in the City papers five days for sealed proposals from parties wishing to get this lease to equip and operate the Ferry, on the terms as above proposed, or as this Council may amend this report, the proposals to be handed in to the Committee on Wharves, Harbors and Ferries, to be opened by them and reported to this Council.

Ald. Felton moved that said report be adopted.

Ald. Allen moved to amend said report by striking out from the last paragraph thereof the words, "we would recommend" and inserting the word "Resolved" in place thereof. Carried.

Ald. Felton moved to further amend said report by striking out the words "from the first day of April to the first day of December," as contained in the 49th and 50th lines of said report, and inserting the said words so stricken out, immediately after the word "run" in the said 49th line of said report. Carried.

Ald. Mills moved as a further amendment to insert the words "for the term of fifteen years" after the word "Ferry" in the fourth line of the last paragraph of said report. Carried.

Ald. Palmer moved as a further amendment—that the Clerk advertise for two weeks for proposals, instead of five days, as named in said report. Carried.

And the said Report as amended was then adopted.

Ald. Yaw, from the Committee on Public Lamps, reported in favor of the adoption of the following resolutions:

That the Common Council of the city of Buffalo intend to extend the Lamp District on both sides of Rock street, from Genesee to Hospital street, and the City Clerk is hereby directed to cause the necessary notice of such intention to be duly published. Adopted.

That the Common Council of the City of Buffalo intend to extend the Lamp District on both sides of Bryant street, from Main street to Linwood avenue, and on both sides of Linwood avenue, from Bryant street to a point 275 feet northerly therefrom, and the City Clerk is hereby directed to cause the necessary notice of such intention to be duly published. Adopted.

That this Council agree to pay to the Buffalo Gas Light Company the sum of Two Hundred Dollars ($200), towards defraying the expense of gas consumed for the year 1861, in the State Arsenal on Batavia street, providing the amount of gas actually consumed equals or exceeds that amount, said sums to be paid in quarterly payments, as follows:

$50 per quarter, providing the gas actually consumed equals or exceeds that amount.

The whole amount of the claim of the Gas Company for the current quarter, providing such amount be less than $50.

The last quarterly payment for the year, to make the aggregate amount paid by the city $200, providing the quantity of gas consumed equals or exceeds that amount; if not, then the amount paid by the city to be equal to the actual cost of the gas consumed for the year. Adopted.

Also in favor of allowing the following account, and of drawing an order for the same:

Buffalo Gas Light Company, for gas for public buildings, for quarter ending March 31, 1861 $817 00. Adopted.

SPECIAL COMMITTEES.

Ald. Felton from the Special Committee on revising the City ordinances, reported the following:

CHAPTER XXIII.—OF STREET RAILROADS.

SECTION 1. No person shall place, lay, drive, or suffer, or permit to go, stand or remain, wholly or partly, on the track of any of the Street Rail Roads now or hereafter built in this city, or in any street where any track or tracks of a Street Rail Road, may be now or hereafter, laid or built, any obstruction, wagon, carriage, vehicle, animal, or other thing, to the delay, hindrance, or obstruction of any car or cars, running, or passing, on or along, or used upon said Street Rail Roads, or any of the same.

Sec. 2.—No person shall ride upon any of said cars, without previously, or upon being requested so to do, paying his or her fare therefor; nor shall any person catch hold of, get into, or upon, or sit, or stand in, or upon any of said cars, without an intent to ride on the same, and to pay his or her fare for such ride. Nor shall any person make any disturbance, or be guilty of any disorderly conduct upon any of said cars, or, when drunk, or intoxicated, enter any of the same.

§ 3. Any person offending against or violating any of the provisions of the first section above, shall forfeit and pay the penalty of ten dollars for each and every offence or violation; and any person offending against, or violating any of the provisions of the second section above, shall forfeit and pay the penalty of five dollars, for each and every offence and violation. And in case the person so offending shall be a minor, then the parent or guardian of such minor, as well as said minor, shall be subject to the penalty for the offence committed by such minor.

Penalties incurred for the violation of any of the provisions of the foregoing ordinance may be sued for and recovered with costs before any Justice of the Peace.

Any officer or attorney of any owner or owners of any of said cars, upon which any such offence shall have been committed, is hereby authorized to commence and prosecute and conduct to judgment and on appeal, in the corporate name of said city, actions, suits and proceedings for any and all such penalties or violations; but in case any such officer or attorney shall so commence or prosecute any such action, suit or proceedings, then the owner or owners of such cars, of which such officer or attorney is the officer or attorney, shall indemnify and save harmless the said city of and from all costs in such action, suit or proceedings, over and above the amount of the penalty actually recovered in such suit, action or proceedings.

Referred to the Committee of the Whole and ordered printed.

Ald. Storck moved that the Common Council do now resolve itself into Committee of the Whole for the purpose of considering the subject of revising the City Ordinances. Carried.

Ald. Beckwith was called to the Chair.

The Committee of the Whole rose and by their Chairman, Ald. Beckwith, reported that they had had the subject of revising and re-enacting the City Ordinances under consideration, had gone through with the chapter in relation to "Board of Health," and chapter in relation to "Police," &c., and recommended that the same be adopted, and that the Committee have leave to sit again.

Ald. Beckwith moved that the chapter in relation to the "Board of Health," and the chapter in relation to "Police," as reported from the Committee of the Whole, be and the same are hereby adopted by the Common Council, and that the Committee have leave to sit again. Carried.

MOTIONS, RESOLUTIONS AND NOTICES.

Ald. Felton moved that this Council do now adjourn. Carried.

Resolutions remaining on the desk of the Clerk, at the adjournment of the Council, were by him referred to their appropriate Committees, at follows:

That the Street Commissioner advertise for the use of suitable lots for city pounds. Referred to Committee on Streets.

That the City Clerk employ extra help to write up the "Death Record."

That an order for $110 17c be drawn in favor of the Comptroller, to pay principal and interest on bonds. Referredto Committee on Finance.

That the Street Commissioner cause the sewers on the west side of Elm street to be repaired.

That the Street Commissioner cause sewer and receiver on the north-east corner of Batavia and Spring streets to be reconstructed.

That the Street Commissioner cause the sewer on North Division, on west side of Elm street, to be repaired.

That the Street Commissioner cause the sewer and receiver on the south-east corner of Hickory and Cherry streets to be reconstructed.

That the Street Commissioner cause the sewer and receiver at the north-west corner of Batavia and Spring streets to be repaired.

That the Street Commissioner cause the sewer and receiver on the south east corner of Hickory and Cherry streets to be reconstructed. Referred to Committee on Sewers.

That the sidewalk on Louisiana street, between Miami and Sandusky streets, be reconstructed.

That the sidewalk on Louisiana street, between the New York and Erie Railroad and Sandusky street, be reconstructed.

That the sidewalk on northerly side of Fulton street, between Chicago street and Ohio Basin Slip be repaired.

That a sidewalk be repaired on the west side of Hickory street, between Batavia and Sycamore streets.

That a plank crosswalk be constructed across Miami, Mackinaw, and Sandusky streets, on the easterly side of Louisiana street,

That the plank crosswalk across Cedar street, on northerly side of Clinton reet, be repaired.

That a crosswalk be reconstructed on the east side of Elm street.

That a stone crosswalk be constructed across Franklin street, on the southerly side of Mohawk street

That the Street Commissioner cause a sidewalk repaired on the east side of Washington street, between North street and Burton Alley.

That a sidewalk be constructed on the southeast corner of Clinton and Elm streets. Referred to Committee on Side and Crosswalks.

That the pump on the Terrace, near the Liberty Pole, be repaired. Referred to Committee on Water.

That the City Clerk contract for the supply of ice for the City Buildings. Referred to Committee on Public Grounds.

That a stone culvert be constructed across Niagara street, opposite Bruce streeet.

That the wood bridge across Cazenovia Creek be repaired.

That the wood culvert across William street, between Lockwood and Emslie streets, be repaired.

That the bridge across a ravine, on Clinton street, between Lockwood street and the N. Y. Central R. R., be repaired. Referred to Committee on New Territory.

The Common Council adjourned to meet next Monday afternoon, May 6th, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 18.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
BUFFALO, Monday, May 6th, 1861,
At 2 o'clock P. M.

Present, Asaph S. Bemis, Esq., President of the Council, and Ald. Allen, Beckwith, Brush, Crowder, Felton, Goembel, Grass, Hannovan, Howard, Howell, Jones, Palmer, Russell, Rutter, Savge Scheu, Schwartz, Storck, Wheeler, and Yaw.

Absent—Ald. Adams, Dorr, Mills, Pratt, and Walsh.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM HIS HONOR THE MAYOR.

GENTLEMEN.—Summons has been served upon me to appear before C. T. Shattuck, Esq., on the 9th inst., to answer to the demand of Michael Clor.

Respectfully,
F. A. ALBERGER, Mayor.

Referred to the City Attorney.

FROM THE COMPTROLLER.

GENTLEMEN—On the 1st instant there will become due Edwin Thomas, per The Bank of Attica, Assignee, $62 50, for six months' rent for premises occupied by Hose Co. No. 4, and it is recommended that an order be drawn in favor of said party for $62 50, on the general fund 1861 Fire Department, in full payment of such rent.

I also report that the following named sums will be required to pay principal and interest on City Bonds falling due respectively on the days below named, viz:

On $2,660, 7 per cent bonds, issued may 9, 1857, for School lot in District No. 33, payable at this office on the 9th inst., interest.....	$ 93 10
On $3,900, 7 per cent bonds, issued May 19, 1856, for School lot in District No. 32, payable at this office on the 19th inst., Principal.....	3,900 00
Interest....	136 50
On $1,500, 7 per cent bonds, issued May 19, 1856, for School lot in District No. 19, payable at this office on the 19th inst., Principal.....	1,500 00
Interest....	52 50
Total.. ...	$5,682 10

It is recommended that orders be drawn in my favor on appropriate funds.

I also report that I did, on the 30th ultimo, tender to Hon. Orlando Allen, $110 17, in gold and silver coin of the United States, being the principal and interest due him as per award of the Commissioners appointed by the Superior Court of Buffalo, to award compensation for land taken, to extend Perry street from its present termination to Dole street. This tender and payment was refused by Mr. Allen, and I did on the 1st inst., pay the same into the County Clerk's office, to said County Clerk, accompanied with a statement as required by the charter, and took his receipt therefer. This has been done in accordance with a resolution adopted by you on the 8th ult, and found at page 151 of your proceedings. I recommend that an order, drawn July 2, 1860, in favor of said Allen, for $94, and interest from November 16, 1858, on Local fund for compensation &c, be cancelled; and that an order for $110 17 be drawn in my favor on Local fund for compensation for land taken to extend Perry street from present termination to Dole street, in full payment of such award.

Respectfully,
ALONZO TANNER, Comptroller.

Ald Swartz moved that said communication be received and placed on file, and that an order be drawn to pay rent of lot occupied by Hose Co. No. 4, and an order to pay interest on bonds for School lot in District No. 33; and that the subject matter of the balance of the said communication be referred to the Committee on Finance. Carried.

FURTHER FROM THE COMPTROLLER.

Gentlemen,—In accordance with the report of the Com, mittee on Finance, adopted on the 22nd ult., by you, wherein the City Attorney and Comptroller are directed to make the necessary papers, and have the same executed by the several Banks therein named, as the deposit Banks of the city for three years from the 1st inst., the City Attorney drew a proper contract and bond, and after considerable delay, seven Banks named have executed the contract, while the Clinton Bank refuses to execute. I would therefore recommend that the contract be closed with the seven Banks that have executed the contract, and that the funds of the city be divided as near as may be equally with said seven Banks, or such of them as shall fully complete, and carry out said contract, in accordance with the terms of the report above referred to. I would also recommend that you adopt the 4th sub-division of the first resolution contained in said report which was stricken from said report. The reason for this recommendation, is simply that the Banks think that the rates of exchange should be fixed definitely at ½ per cent as this is the current rate; and I can see no reasonable objection to fixing this at that rate, instead of leaving it an open question, to buy your drafts at the market rate. In conclusion I would say, that in view of the action taken by the council, making the justly liberal appropriation "for the defence of the Federal Union," the Mayor, myself and others connected with the city government, were in hopes that the Banks would be willing to obligate themselves to advance so much as might from time to time be needed to keep the orders on the General Fund at par value not exceeding $130,000. While some of the Banks were willing to make this arrangment, the majority were opposed to going beyond 80,000, as fixed by report, and the contract accordingly is for the last named amount.

Respectfully,
ALONZO TANNER, Comptroller.

Ald Howard offered the following—

Resolved, That the communication of the Comptroller be received and placed on file, and that he be directed to close the contract therein mentioned with such of the Banks named in the report of the Finance Committee adopted on the 22d ult., by this Council, as shall fully comply with the terms and conditions named in said report, and that the bond to be given for such deposits be $200,000, each Bank executingto furnish security prorata for such amount, and for which they shall be severally, (and not jointly one Bank for another) liable—and that the contract and bond so made, or to be made, be, and the same is hereby adopted—and that the Comptroller report his action in the premises to this Council.

Resolved, That the said Banks shall sell or furnish exchange on the city of New York, so much as the city of

Buffalo shall need to pay the principal and interest of its funded debt, at the rate of one-half of one per cent., anything to the contrary mentioned in said contract notwithstanding, and that the city will purchase said exchange of said Banks at that rate, it being understood that said Banks are all to assent to this change, to have the same binding upon them or upon the city. Adopted. Ayes, 18; Noes, 0.

FROM THE CITY ATTORNEY.

I hereby report that the suit of the city of Buffalo against Henry B. Burt, which was commenced in April, 1855, has been tried and decided against the city, the reason for the decision is that the City did not demand payment of the moneys from Mr. Burt, before the action was brought. Respectfully submitted,

GEORGE WADSWORTH,
City Attorney.

Referred to the the Committee on Finance together with the City Attorney.

FROM THE STREET COMMISSIONER.

Gentlemen, — The bridge across the Ravine on Elk street, about 400 feet easterly from Dole street, is nearly impassible, and the superstructure is so decayed that it cannot be repaired without making a new bridge. The undersigned would recommend that the necessary action be had to reconstruct the same.

L. J. WATERS, Street Commissioner.

Referred to the Committee on Streets.

FURTHER FROM THE STREET COMMISSIONER.

Gentlemen,—On the 3d ultimo you ordered Niagara street repaired from the southerly end of the bridge across Scajaquada Creek to a point about 40 feet southerly therefrom, at an expense not exceeding $100, the nature of the damage was such that it was impossible to estimate the exact expense at the time the order was made, and the work could not be delayed until the necessary preliminary proceeding could be had, as the street was in a dangerous condition, and after the work was commenced it could not be suspended, the breach in the street was much larger and more difficult to repair than was anticipated at the time of the undersigned's report on the 18th of March. The repair has been completed in accordance with your direction, with the exception of an increase in the expense of $96 66-100, making the aggregate expense $196 66-100, which increase was made by the advice of the Committee on New Territory, and for the reason the work could not be left in an unfinished condition, without subjecting the city to still greater damage, therefore the undersigned recommends that the necessary action be taken to perfect the order by giving the ten days notice of intention to order the work, and that an assessment be made to defray the expense, if it shall be deemed improper to pay the expense from the surplus in the fund created to grade and pave Niagara street.

L. J. WATERS, Street Commissioner.

Referred to the Committee on New Territory.

FROM THE CITY SURVEYOR AND CHAIRMAN OF THE COMMITTEE ON WHARVES, HARBORS AND FERRIES.

In compliance with your order of April 25th, 1861, we advertised six days for sealed proposals, for dredging Buffalo Creek, from the west end of the North Pier, to the southerly side of South street, and we herewith submit the following abstract of the proposals received by us

Bernard Cunningham—12 cents per yard.
Thomas Dunbar, —14 " "
Wm R. Strong, —14 " "

Respectfully yours,
PETER EMSLIE, City Surveyor.
Z. G. ALLEN, Chairman of Com. on W. H. F.

Referred to the Committee on Wharves, Harbors and Ferries.

FROM THE SUPERINTENDENT OF SCHOOLS.

In the sweepers pay roll for the last term of 1860, I allowed only at the rate of 22½ cents per week, for sweeping and cleaning. It should have been calculated at 50 cents per week. I have paid to J. Alfred Hayward, late teacher of that district, the difference, amounting to $4 23. I respectfully ask that an order be drawn in my favor, for $4 23.

SANFORD B. HUNT,
Superintendent of Schools.

Filed and order directed to be drawn.

FURTHER FROM THE SUPERINTENDENT OF SCHOOLS.

GENTLEMEN:—Wm. Crocker, Principal of Public School No. 28, is entitled to six weeks pay at the rate of $325 per annum, from the 21st of January to the close of the ninth week of the first term of this year. He commenced his term of service Jan. 21st, 1861; but has received pay only for the last eight weeks of the first term. I recommend that an order be drawn in his favor for $48 33.

Respectfully,
SANFORD B. HUNT.
Superintendent of Schools.

—Filed and order directed to be drawn.

FURTHER FROM THE SUPERINTENDENT OF SCHOOLS.

I have previously reported to you the condition of Public School Houses Nos. 8, 10 and 7. I again call the attention of the Council to the necessity of their repair.

In No. 7 the seats are the oldest in use in the city, and narrow and inconvenient. The roof leaks badly and requires new shingles.

In No. 8, the water from the roof is weakening the walls and considerable repairs are needed otherwise.

In No. 10, the fence on the North side of the lot should be rebuilt, and inside blinds substituted for the outside blinds now in use.

I recommend that you instruct the School Committee, and Superintendent, to ascertain the probable expense of these repairs, and to contract, subject to the order of the Council for the necessary work.

Respectfully,
SANFORD B. HUNT.
Superintendent of Schools.

—Filed and subject matter referred to the Committee on Schools.

FROM THE FIRE MARSHAL.

GENTLEMEN:—Agreeably to a resolution of your honorable body, I advertised for proposals to build a brick barn on Chicago street, and have received the following:

Henry Swartz.....$400
William I. Williams 395

D. KISSOCK.
Fire Marshal.

Referred to Committee on Fire with power.

The Fire Marshal reported the amounts due to the several employees of the Fire Department, for services in the month of April. Filed and orders directed to be drawn.

FROM THE CITY ASSESSORS.

The undersigned, the Board of Assessors, respectfully ask your honorable body to appropriate a sum not exceeding fifty dollars for livery, to be used for the purpose of reviewing and valueing the outside property of the city. Without such assistance it will be impossible for the said Board to complete the assessment rolls at the time required by the City Charter.

JOB GORTON,
LORENZ GILLIG,
FAYETTE RUMSEY.

Received and placed on file.

Whereupon Ald. Howard offered the following:

Resolved, That the Assessors be and they are hereby authorized to hire livery for their use in reviewing lands for assessment, for a sum not exceeding fifty dollars, for the year 1861. Adopted.

The City Treasurer reported the amounts due the employees in his office for services for the month of April. Filed and orders directed to be drawn.

The Chief of Police reported the amounts due the Captains of Police, Clerk and Policemen, for services for the month of April; also amounts due to the persons employed to clean the Police Stations. Filed and orders directed to be drawn.

The Clerk of the Markets reported the amounts due to the several Porters of the Markets for month of April. Filed and orders directed to be drawn.

The City Clerk reports the following accounts as having been audited by the Board of Health, and by them referred to the Council with a request that provision be made for their payment—

John Elliott, as Health Inspector for the month of April, $45 00.

G. J. Rheinhardt, as Health Inspector for April, $45 00.

John Elliott, for carriage to convey case of small pox to the Hospital, $1 50.

Would repectfully recommend that orders be drawn for payment of said accounts.

Ald. Swartz moved that said report be filed, that orders be drawn in favor of John Elliott and Geo. J. Reinhardt, for services as Health Inspectors, and that the subject matter of the balance be referred to the Committee on Sanitary Measures. Carried.

The City Clerk also reports the following nuisances as having been reported to Board of Health, and by them referred to the Council—

Lot on Conrt street, 157 feet west of Morgan street, 36×90 feet deep, assessed to J. A. Sherman.

Referred to Committee on Sanitary Measures.

Assessment roll No. 2,376—For the purpose of paying the just compensation awarded to the person or persons owning or having an interest in the land and property taken to lay out Carlton street, from the easterly line of Main street to the northwesterly line of Genesee street, together with the costs and expenses of ascertainment, $3,573.67, the time for the further consideration of which, and of the hearing of parties objecting to the same, had been postponed until to-day, was taken up.

Ald. Howard moved that the consideration of said assessment roll, and the hearing of parties interested therein, be further postponed until Monday, May 27th, 1861, at 2 o'clock, P. M. Carried.

The written resignation of Abbott C. Calkins, of the office of Commissioner of Deeds was presented. Filed, and resignation accepted.

Whereupon Ald. Beckwith offered the following—

Resolved, That Riley Saunders, Esq , be, and he is hereby appointed a Commissioner of Deeds, in, and for the city of Buffalo, to fill the vacancy occasioned by the resignation of said Calkins. Adopted.

The following communication was presented :

Gentlemen,—In consequence of business arrangements at the present time, I am under the necessary of declining to act with the Committee appointed to disburse the relief fund for volunteers, thanking you for the confidence thus manifested, and believing that the vacancy can be filled for the better, I respectfully ask that you will accept my resigoation.

And oblige your obedient servant,
JACOB SCHEU.

Ald. Felton, moved, that said communication be filed, and that Ald. Scheu be excused from serving as a member of said Commit ee. Carried.

The president thet appointed Ald. Grass, as a member of said Committee, in place of Ald. Scheu, excused from serving.

PETITIONS.

Of Emily White, for a declaration of sale on lot on the east side of Spring str-et, 137 feet south of Sycamore street. Referred to Committee on Finance.

Of N K Hall and others, to have Franklin street paved from Niagara to Chippewa street.

Of Henry C Persch, to have Church street graded and curbed, between Delaware street and the Terrace. Referred to Committee on Streets.

Of Thomas Day and others, to have sidewalk on northwest side of Maryland street repaired. Referred to Committee on Side and Cross Walks.

Of A. Good, to erect a wooden building on Indiana st. Referred to Committee on Fire.

Of Jonathan Bodamer, for a butcher's license.

Of Andrew L Hirsch, for the same.

Of John Hapercam, for the same.

Of H. Moehl, for the same. Referred to Committee on License.

Of H. W. Rogers and others, to have the manner of repairing the Breakwater altered. Referred to Committee on New Territory.

Of Albert Krommibfeld, for a fireman's certificate.

Of John Kessler, for same.

Of Samuel G. Peters, for same. Referred to Fire Commissioners with power.

Petition of E. J. Faxon, for the release of Alfred B. Clark from the Erie County Penitentiary.

Ald. Palmer moved that the prayer of the petition be granted. Carried. Ayes, 18; Noes, 0.

Petition of James Ash and others, for the release of James Welch, from the Erie County Penitentiary.

Ald. Palmer moved that the prayer of said petition be granted. Carried. Ayes, 18; Noes 0.

REMONSTRANCES.

Of L. Ritt and others, against permission being granted to erect or move any wooden buildings on Ellicott street, between Tupper and Goodell streets. Referred to Committee on Fire.

ACCOUNTS REFERRED.

John Erb, for cleaning paved streets and alleys in front of public grounds, &c , for April.

George Miller for repairing Batavia street, near Elm street.

Same, for repairing plank road in Batavia street, near Spring street.

Wm. Mensch, for removing dirt, &c., from paved streets and alleys, for the month of April.

John Wannop, for digging test pits at north end of the Toll Bridge across Buffalo Creek. Referred to Committee on Streets.

John Swartz, for repairing sewer and receiver at south east corner of Ash and Sycamore streets.

Jacob Williams, for same, at south west corner of William and Hickory streets.

Same, for same, at north west corner of Spring and North Division streets.

Henry Harter, Jr., for same, on southerly side of Church street 100 feet east of Genesee street.

George Miller, for same, at north west corner of William and Cedar streets.

Same, for same, at north west corner of Michigan and Exchange streets.

Same, for same, at north west corner of William and Milnor streets.

John Wannop, for same, at north east corner of Mohawk and Morgan streets.

Same, for same, at north east corner of Niagara and Pearl streets.

Same, for reconstructing same, at north east corner of Chippewa and Pearl streets.

Henry Harter, Jr., for constructing sewer in Batavia street, from sewer in Emslie street; also for constructing sewer and receiver at south west corner of Monroe and Batavia streets, and same at south west corner of Adam and Batavia streets. Referred to Committee on Sewers.

D. C. Godwin, for repairs, &c., for Fire Department.

John L. Leader, for shoeing horses for same.

Andrew Voght, for sleeping in Engine House.

Donald Thane, for doctoring horse and washing bed cloths. Referred to Committee on Fire.

Mason & Bidwll, for flag staff for city buildings. Referred to Committee on Claims.

C G. Irish, Jr., for desk and chairs for Police Department.

Jacob Bloom, for commitments to the Penitentiary.

John Cronyn, for medical attendance on boy at Watch House. Referred to Committee on Police.

George Augstell, for lock, &c., for markets. Referred to Committee on Markets.

Adam Deihl, for reconstructing culvert across Ferry street, 200 feet easterly from Jefferson street.

Same, for same, across Ferry street, between Walden street and Williamsville Road.

Alvin Joslyn, for repairing bridge on Clinton street, 200 feet east of Williamsville Road.

John Wannop, for digging test pits for sewer in Breckenridge street. Referred to Committee on New Territory.

Samuel Green, for services as keeper of Parks on Prospect Hill. Referred to Special Committee on Prospect Hill Parks.

Sherman & Barnes, for labor and material at Lincoln Reception. Referred to Special Committee on Reception of President Elect.

ACCOUNTS ALLOWED.

John Drexler, for services as Street Inspector for April —$32 50.

Fred. Schmelzer, for same—$32 50.

Jacob Sohn, for same—$32 50.

Chas. Broshardt, for same—$32 50.

John B. Sewell, for same—$32 50.

REPORTS OF COMMITTEES.

Ald. Howard from the Committee on Finance, reported in favor of the adoption of the following resolutions :

That the petition of Nathaniel Tucker, asking for a declaration of sale on tax certificate No. 91 of sale of May 27th, 1857, of lot on the north side of Elk street, part of outer lot No. 68, lying 47 feet west of Hayward

street, being 40 feet front by 100 feet deep, be denied, and that said Tucker have leave to withdraw his petition Adopted.

That the Comptroller and Chairman of the Finance Committee be authorized to settle with Michael Danner for the sum of $2400 32, being the amount of certificates of tax sales received by Michael Danner, Jr., and not paid for to the city, and to execute to said Michael Danner a full release and discharge of all claim of the city against Michael Danner, Jr., on account of all such certificates.

Ald. Bemis moved to refer the said report, together with the subject matter of the communication of the Comptroller on the same subject, dated Feb. 25, to the Committee on Finance, together with the Comptroller and City Attorney. Carried.

That two orders be drawn on the General Fund balance of 1864, in favor of the Comptroller: one for $10 91, and the other for $16 05; and that the Comptroller be directed to deposit the same with the City Treasurer as follows: The said order for $10 91 to the credit of the fund for Sewer and Receiver at the north-east corner of Pearl St. and the Terrace; and that said order for $16 05 to the credit of the fund for grading Fifth street between Pennsylvania street and York street. Adopted.

Ald. Wheeler, from the Committee on Schools, reported in favor of the adoption of the following resolution:

That the Superintendent of Schools be authorized to cause plans and estimates to be prepared for a building for a Primary Department, on the lot owned by the City, in School District No. 15, and report the same to this Council for approval. Adopted.

Ald. Palmer, from the Committee on Streets, reported in favor of the adoption of the following resolutions:

That the City Surveyor and Street Commissioner are hereby directed to examine Carey street, between Morgan street and its easterly termination, and ascertain what building or obstructions are in said street, and that they report all such obstructions to this Council; and that the Street Commissioners direct the owner or owners of such building or obstructions to remove the same forthwith. Adopted.

Also in favor of allowing the following accounts, and of drawing orders for the same, viz:

George Miller, for repairing Michigan street, 200 feet northerly from Carlton street—$2 50.

George Miller, for repairing Seneca street, 50 feet East from Washington Steet—$1 25.

Lauren Williams, for repairing Plank Road in Swan St. from easterly termination of paving to the intersection of Seneca street—$100 00.

George Miller, for repairing Michigan street, over Sewer, about 50 feet northerly from Burton Alley—$1 25.

Jerry Kerchenson, for shoveling snow from in front of Lot on west side of Delaware street, commencing at south west cor of Bryant street $1 62.

Jerry Kerchenson, for shoveling snow from Delaware street, in front of Lot on west side of said street 405 59-100 feet northerly from Summer street—$4 25. Adopted.

That the contract between the City of Buffalo and Wm. Mensch, bearing date April 13th, 1861, binding said Mensch to remove the dirt, ashes, filth, manure and rubbish of all kinds from the paved streets and alleys of said city, until the first day of January 1864; also the bond for the faithful performance of said contract, signed by John Chretien and Charles Chretien, is hereby accepted and approved, and the City Clerk is hereby directed to file said contract in the office of the City Comptroller. Adopted.

That the City Assessors assess $11 89, for repairing the wood culvert across Genesee street, on the westerly side of Johnson street, continued. Adopted.

That the Street Commissioner be directed to advertise for ten days, in the city papers, for the use and occupation of suitable lots whereon to erect one or more city pounds; also, to procure the services of suitable persons to keep said pounds, and report. Adopted.

That Church street be repaired between the easterly line of Delaware street and Cazenovia Terrace, by filling with stone, chip, or ashes, at an expense not exceeding $90, and that the Street Commissioner is hereby authorized and directed to cause the same to be done, and report the expense to this Council. Adopted

Ald. Palmer was called to the chair.

Ald. Brush, from the Committee on Sewers reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause a sewer and receiver to be constructed in Washington street, at the crossing of Virginia street, (so called) in a manner to receive the water passing down Washington street from that point, at an expense not to exceed $60, and report. Adopted.

That the Street Commissioner advertise for 6 days, in the city paper, for proposals for constructing a brick sewer, 18 inches diameter, with walls 8 inches thick, in the south side of Seneca street, from the termination of the present sewer, in said street, to the old City Line, in accordance with the plan and profile made by the City Surveyor, and proper specifications for the same, and report. Adopted.

That the Street Commissioner cause the main sewer and receiving sewers on the west side of Elm street, at the crossing of North Division street, to be repaired at an expense not to exceed $12 00, and report. Adopted.

That the Street Commissioner cause the sewer and receiver on the southeast corner of Hickory and Cherry streets, to be reconstructed at an expense not to exceed $27 00, and report. Adopted.

That the Street Commissioner cause the sewer and receiver at the northwest corner of Batavia and Spring streets to be repaired, at an expense not to exceed $13 00, and report. Adopted.

That the Street Commissioner cause the sewer and receiver at the northeast corner of Batavia and Spring streets to be reconstructed, at an expense not to exceed $17 00, and report Adopted.

That the Street Commissioner cause the sewer in North Division street, on the west side of Elm street, to be repaired at an expense not to exceed $12 00, and report. Adopted.

Also in favor of allowing the following accounts, and of drawing orders for same, viz:—

John Swartz, for repairing Sewer and Receiver at the north west corner of Swan and Michigan streets—5 84.

Same, for repairing Sewer and Receiver at the northwesterly corner of Perry and Pennsylvania streets, $4 88.

George Miller, for repairing Sewer and Receiver on the east side of Oak street, at the intersection of the north line of Virginia street (so called)—$9 81.

Same, for repairing Sewer and Receiver at the north west corner of Batavia and Pratt streets—$7 02.

Same, for repairing Sewer and Receiver at the north west corner of Michigan Street and Burton Alley—$6 60.

O. Butler, jr., for repairing Sewer and Receiver at the north west corner of Batavia and Michigan streets—$9 43.

Same, for repairing the Sewer and Receiver at the north west corner of Washington and Huron streets—$6 37.

Same, for repairing Sewer and Receiver at the north east corner of Delaware and Virginia streets—$8 63.

Same, for repairing Sewer and Receiver, at the north east corner of Niagara and Georgia streets—$8 19.

John Wannop, for repairing receiving Sewer at the south west corner of Louisiana and Perry streets—$4 09.

Same, for repairing Sewer at the north west corner of Louisiana and Eleventh streets—$4 79.

Same, for repairing Sewer and Receiver at the north east corner of Virginia and Eleventh streets—$5 98.

Same, for repairing Sewer and Receiver at the north east corner of Elk and Illinois streets—$5 98.

Same, for repairing Sewer and Receiver at the south east corner of Washington Square and Ohio streets—$6 86.

Same, for repairing Sewer and Receiver at the north east corner of Moore and Miami streets—$5 60.

George Miller, for repairing Sewer in Oak street, 50 feet northly from Virginia street (so called)—$9 18.

Adopted.

Ald. Swartz, from the Committee on Side and Crosswalks reported in favor of the adoption of the following resolutions

That the owners of land on the southerly side of Batavia street, between Emslie and Adams streets, cause a sidewalk to be constructed in front of their respective lots, six feet wide, of good hemlock plank, three inches thick, within ten days and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $95 and report Adopted.

That the Street Commissioner cause a plank crosswalk to be constructed across Emslie street, on the southerly

side of Batavia street at an expense not exceeding $8 and report. Adopted.

That the Street Commissioner cause a plank crosswalk to be constructed across Watson street, on the southerly side of Batavia street, at an expense not exceeeding $10 and report. Adopted.

That the Street Commissioner cause a plank crosswalk be constructed across Adams street, on the southerly side of Batavia street, at an expense not exceeding $10, and report Adopted.

That the Street Commissioner cause a plank crosswalk to be constructed on the southerly side of Batavia street, across Monroe street, at an expense not exceeding $10 and report. Adopted.

That the Street Commissionsr cause a plank crosswalk to be constructed across Madison street, on the southerly side of Batavia street, at an expense not exceeding $10, and report. Adopted.

That the Street Commissioner cause a plank crosswalk to be constructed across Jefferson street, on the southerly side of Batavia street, at an expense not exceeding $10, and report. Adopted.

That the owners of land on the southerly side of Batavia street, between Jefferson and Spring streets, cause a sidewalk to be repaired in front of their respective lots, six feet wide, by substituting good new hemlock plank, three inches thick, where necessary, within ten days, and if not done within that time, that the Street Commissioner cause the same to be done, at an expense not exceeding $50, and report. Adopted.

That the Street Commissioner cause a plank crosswalk to be constructed across Miami, Mackinaw and Sandusky streets, on the easterly side of Louisiana street, at an expense not exceeding $8 each, and report. Adopted.

That the owners of the land on the easterly side of Louisiana street, between the B. N. Y. and Erie R. R. and Sandusky street, cause a sidewalk to be reconstructed in front of their respective lots, four feet wide, of good hemlock plank, three inches thick, within ten days, and if not done within that time, that the Street Commissioner cause the same to be done, at an expense not exceeding $100, and report. Adopted.

That the owners of the land on the northerly side of Fulton street, between Chicago street and the Ohio Basin Slip, cause a sidewalk to be repaired in front of their respective lots, four feet wide, by substituting new plank, three inches thick, where necessary, within ten days, and if not done within that time, that the Street Commissioner cause the same to be done, at an expense not exceeding $25, and report Adopted.

That the owners of land on the north side of Huron street, between Ellicott and Oak streets, cause a sidewalk to be repaired in front of their respective lots four feet wide, of good hemlock plank, three inches thick—within fourteen days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not to exceed $15—and report. Adopted.

That the owners of land on the west side of Elm street, between Tupper and Goodell streets, cause a sidewalk to be repaired in front of their respective lots, four feet wide, by substituting good hemlock plank, three inches thick, where necessary—within fourteen days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not to exceed $50, and report. Adopted.

That the Street Commissioner cause the plank crosswalk to be reconstructed, across Spring street, on the southerly side of North Division street, at an expense not to exceed $8, and report. Adopted.

That the Street Commissioner cause the plank crosswalk across Cedar street, on the north side of North Division street, to be reconstructed at an expense not to exceed $8, and report. Adopted.

That the Street Commissioner cause the plank cross walk across North Division street, on the westerly side of Spring street to be repaired, at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause the plank crosswalk across Cedar street, on the northerly side of Clinton street, to be repaired, at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause the plank crosswalk across Spring street, on the northerly side of South Division street, to be repaired at an expense not exceeding $8, and report. Adopted.

That the owners of land, on the westerly side of Hickory street, between Batavia and Sycamore streets, cause a sidewalk to be repaired on front of their respective lots, four feet wide, by substituting good hemlock plank, 3 inches thick where necessary, within ten days, and if not done within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $60, and report. Adopted.

That the Street Commissioner cause the plank crosswalk across Carlton street, on the easterly side of Elm street, to be reconstructed, at an expense not exceeding $8, and report. Adopted.

Ald. Yaw, from the Committee on Fire reported in favor of allowing the following accounts, and of drawing orders for same:

Hart, Ball & Hart for plumbing, &c., for Fire Department $16 07.

P. G. Lorenz, for keeping horses for same, charged at $27 64, allowed at $24.

Silas O. Hemmenway, for team and use of horses for Fire Department, $222 00. Adopted.

Also in favor of directing the Fire Marshal to contract with Richard Exelly for the construction of a Hose Cart, capable of holding 1,000 feet of hose for $150.

Also in favor of the adoption of the following resolutions:

That permission is hereby granted to E W Ensign, to erect a wooden barn, 30x60 feet, and 16 ft high on the east side of Washington street, 300 feet south of Carlton street, the same to be done under the direction of the Fire Marshal, and subject to the further order of this Council. Adopted. Ayes, 20; Noes, 0.

That permission be and is hereby granted to C P Turner to raise one half story and move forward a frame cottage at No. 198 South Division street, the same to be done under the direction of the Fire Marshal, and subject to the further order of this Council. Adopted. Ayes, 20; Noes, 0.

Ald. Jones, from the Committee on Water, reported in favor of the adoption of the following resolution:

That the Street Commissioner cause the pump on the Terrace, near the Liberty Pole, to be repaired—at an expense not to exceed $15, and report. Adopted.

Ald. Howell, from the Committee on Claims, reported in favor of allowing the following accounts and of drawing orders for the same:

A. M. Clapp & Co., for publishing Council proceedings, allowed at $340 10.

Same (4) for printing for various city officers—$37 50.

Farnham & Hodge, for coal for same—$82 50.

Adopted.

Ald Allen, from the Committe on Police, reported in favor of allowing the following accounts, and of drawing orders for the same:

Hart, Ball & Hart, for repairs for the Police Department—$1 00.

N. H. Barnes, for repairing Station No. 1—$29 76.

D. S. Reynolds, for commitments to Penitentiary—$13 88.

James Van Valkenberg, for commitments to Penitentiary—$10 50. Adopted.

Ald. Savage, from the Committee on Sanitary Measures, reported in favor of allowing the following accounts, and of drawing orders for the same:

Adam Karn, for removing dead animals from the streets in January—$7 50.

John Elliott, for services as Health Inspector in January—$46 50. Adopted.

Also, in favor of allowing the following accounts, and of drawing orders for same on the General Fund, 1860, Board of Health Department:

Adam Karn for removing dead animals from streets in December 1860, $41 00.

F. Schickendantz, for keeping pest house in December, 1860—$19 29.

C. C. Wyckoff, for vaccinations by order of Board of Health—$200.

Ald. Howard moved to refer said report back to the Committee—Carried.

The President resumed the Chair.

Ald. Crowder, from the Committee on New Territory, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause the wood bridge across Cazenovia creek, on the road leading from the Aurora Plank Road to Martins' Corners, to be repaired, at an expense not to exceed $40 and report. Adopted.

That the Street Commissioner cause Clinton street, between the Buffalo and New York City Railroad and the Williamsville Road, to be repaired by opening the gutters on both sides of said street, at an expense not to exceed $50 and report. Adopted.

That the Street Commissioner cause the wood culvert across North Washington street on the south side of Bird Avenue, to be repaired at an expense not to exceed $6 and report. Adopted.

That the Street Commissioner cause wood culvert across William street, between Lockwood and Emslie streets, to be repaired, at an expense not to exceed $6 and report. Adopted.

That the Street Commissioner cause the wood culvert across Forest Avenue, between North Washington and DeWitt streets, to be repaired, at an expense not to exceed $8 and report. Adopted.

That the Street Commissioner cause the crosswalk across Eleventh street, on the south east side of Vermont street, to be repaired, at an expense not to exceed $6 and report. Adopted.

That the City Surveyor be directed to survey Ferry street, from Delaware street to the Niagara River, and report to this Council any and all obstructions in the said street. Adopted.

That the Street Commissioner be and he is hereby ordered to repair Delaware street, between Chapin and Amherst street, at an expense not to exceed $50 and report. Adopted.

SPECIAL COMMITTEES.

Ald. Howard, from the Special Committee on the Reception of the President-Elect, reported in favor of allowing the following accounts and of drawing orders for the same, viz:—

Buffalo Light Artillery, for firing salutes at Lincoln reception—$52 00.

J. B Mason, for same—$11 00. Adopted.

Ald. Howard moved that the order of business, "The Committee of the Whole," be temporarily suspended. Carried. Ayes, 18; Noes, 0.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Hannovan—That all obstructions be removed from Perry st., as laid out from Hamburg to Dole street.

Ald. Hanovan moved to refer same to the Committee on Finance.

Ald. Howell moved as an amendment that said resolution be referred to Committee on Streets. Carried. Ayes 12; Noes 7.

By Ald. Howard—That the lease heretofore given to James Haggart and Absalom Bull, of the right to maintain a ferry across Niagara river, between the village of Waterloo and the foot of Ferry street, in the City of Buffalo, which expired May 1st, 1861, be, and the same is hereby extended for the term of ——— months, to Absalom Bull, and the representatives of James Haggart, deceased, unless the same be sooner revoked by this Council.

Ald. Howard moved to fill the blank in said resolution by inserting therein the word "Six."

Ald. Howell moved as an amendment that the term for which said license be extended, be fixed at two months, instead of six, as proposed by the motion of Ald. Howard.

The question was taken on the motion of Ald. Howard to fill the blank by inserting the word "six," and the same was lost.

Ald. Palmer then moved to fill such blank by inserting the word "three" therein. Lost.

The motion of Ald. Howell was then carried.

And the said resolution, as amended by the motion of Ald. Howell was then adopted.

By Ald. Felton—That Thomas J. Smith, Peter Rohe, and John Abel be appointed Inspectors of Elections for the Second District, of the Twelfth Ward.

Ald. Russell moved to amend said resolution by striking out the name of "John Abel," and inserting in place thereof the name of "Samuel Ely." Carried.

The resolution as so amended was then adopted.

By Ald. Felton,—That W. I. Williams be, and he hereby is authorized to furnish ice for the use of the Common Council, and all other departments in all the city buildings, at a total cost of seventeen dollars, ($17,) that being his offer for furnishing the same.

Ald. Palmer moved that the said resolution be referred to the City Clerk, and that said Clerk be directed to invite and receive proposals for furnishing ice for the use of the city offices, &c., for the ensuing season, and to report to the Council such proposals as he may receive. Carried.

By Ald. Wheeler,—That the Chief of Police direct the captains of the watch to ascertain the number of public lamps not lighted, on their respective districts, during the next thirty days, and report the same to this Council. Adopted.

Resolutions were offered and referred to Committees, as follows:

That the bridge at the junction of Smith and Abbot streets, be repaired.

That the bridge over Peck Slip be repaired. Referred to Committee on Streets.

That the Comptroller tender to the proper parties, the untaken awards for laying out Carolina street. Referred to Committee on Streets and City Attorney.

That the Sewer and Receiver, at the North East corner of North Division and Jefferson streets, be repaired Referred to Committee on Sewers.

That a sidewalk be constructed on the north easterly side of Ninth street, between Hudson and Pennsylvania streets.

That a side-walk be repaired on the South side of Eagle street, between Oak and Elm streets.

That a cross-walk be reconstructed on the East side of Michigan street, at intersection of Colton street.

That a cross walk be reconstructed at the corner of Delaware and Allen streets.

That a sidewalk be constructed at the South East corner of Clinton and Elm streets.

That a sidewalk be constructed on westerly side of Washington street, between Ohio street and the Dock. Referred to Committee on Side and Cross Walks.

That Amherst street be repaired, between Howell street and State Ditch.

That the wood culvert across Elmwood Avenue, about 150 feet southerly of Bouck Avenue, be repaired.

That the bridge across Cazenovia Creek, on Cazenovia Road, be repaired. That the Street Commissioner advertise for proposals to do the same; and that the City Surveyor furnish plan and specifications to the Street Commissioner for the same.

That the pavement in Niagara street, at north end of bridge across Scajaquada Creek, be repaired.

That a stone sidewalk be constructed on the southerly side of Amherst street, between Dearborn and Niagara street. Referred to Committee on New Territory.

Ald. Storck moved that the Council do now resolve itself into the Committee of the Whole for the purpose of considering the subject of revising, &c, the City Ordinances.

Ald. Savage moved to lay the motion of Ald. Storck on the table. Lost.

The motion of Ald. Storck was then carried.

Ald Beckwith was called to the Chair.

The Committee of the Whole rose, and the hour of 7 o'clock P. M. having arrived, the President declared the Common Council adjourned to meet next Monday afternoon, May 13th, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 19.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
BUFFALO, Monday, May 13th, 1861,
At 2 o'clock P. M.

Present, Ald. Allen, Felton, Grass, Jones, Savge and Walsh.

Absent—Ald. Adams, Beckwith, Bemis, Brush, Crowder, Dorr, Goembel, Hannovan, Howard, Howell, Mills, Palmer, Pratt, Russell, Rutter, Scheu, Schwartz, Storck, Wheeler, and Yaw.

A quorum not being present at half past 2 o'clock, P. M., the Council, by its rules, stood adjourned until nex Monday afternoon, May 20th, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

SPECIAL MEETING.

IN COMMON COUNCIL,
Buffalo, Wednesday, May 15th, 1861,
At 10 o'clock A. M.

Present—Asaph S. Bemis, Esq., President of the Council; and Ald. Adams, Allen, Beckwith, Crowder, Dorr, Felton, Howard, Jones, Palmer, Russell, Rutter, Scheu, Wheeler, and Yaw.

Absent—Ald. Brush, Goembel, Grass, Hanovan, Howell, Mills, Pratt, Savage, Schwartz, Storck, and Walsh.

The reading of the minutes of the last meeting was dispensed with.

COMMUNICATIONS FROM THE MAYOR.

MAYOR'S OFFICE,
BUFFALO, May 15, 1861.

To the Hon. Common Council:

GENTLEMEN: Some time since, His Excellency, the Governor of this State, ordered the 74th Regiment, New York State Militia, to repair to Elmira, there to enter into military service.

For the purpose of uniforming and clothing this regiment, your Honorable Body appropriated seventeen thousand, five hundred dollars, and authorised the Committee having in charge the fund raised for the defence of the Federal Union, to procure and furnish material accordingly.

Acting under this authority, the Committee contracted with parties in New York and here, for the clothing. After entering into contracts and incurring liabilities to a large amount, the order given to the 74th Regiment was countermanded.

The Committee entertaining strong convictions that the 74th Regiment would not be ordered into service, and impressed with the importance and urgent necessity of getting men into the field, as speedily as possible, deemed it eminently their duty to encourage the belief that the first regiment leaving our city should receive the uniforms purchased by the Committee

The Committee therefore made exertions to dispose of the uniforms to the State, and I am pleased to be able to inform your honorable body that they succeeded in their efforts, having made an arrangement by which the State is to receive the articles purchased, at cost, and with the condition that they shall be transferred to the Buffalo Regiment.

The action of the Committee in this matter has been unanimous, and I am requested by them to ask authority from you to make the proposed transfer on the conditions above recited.

I beg leave to advise your honorable body to authorize the Committee to make the transfer, of which I heartily approve.

The uniforms have just been finished and part of them are at Elmira, and it is important for the comfort and health of our noble volunteers that action should be taken immediately. I have for this purpose and for the transaction of such other business as you may deem proper, called a special meeting of your honorable body.

Very Respectfully,
F. A. ALBERGER, Mayor.

Ald. Howard offered the following:

Resolved, That the commuication of the Mayor be received and filed, and the Joint Committee of the Common Council and of the citizens, to whom the purchase of the uniforms referred to, in said communication, was heretofore referred, be and they are hereby authorized to sell the said uniforms to the State, when received under the contract, or such portions of them as the State shall be willing to receive on such terms as the said Commit ee shall deem best for the interests of the city. Adopted.

FURTHER FROM THE MAYOR.

MAYOR'S OFFICE,
Buffalo, May 11th, 1861.

To the Hon. Common Council:

Gentlemen,—I have been served with summons to answer to the complaint of C. C. Wyckoff, before the Superior Court of Buffalo. I have sent the summons to the City Attorney.

I am requested by the Committee having in charge the fund for the defence of the Federal Union, to ask that orders be drawn in favor of S. F. Pratt, Esq, Treasurer of the Committee, to the amount of seven thousand dollars.

Respectfully,
F. A. ALBERGER, Mayor.

Ald. Adams moved that said communication be received and placed on file, and that the subject matter of so much thereof as relates to suit commenced by C. C. Wyckoff be referred to the City Attorney, with directions to defend if in his opinion it is advisable; and that an order for seven thousand dollars be drawn in favor of the Mayor to meet disbursements made by Special Committee on "Fund for Defence of Federal Union." Carried.

On motion of Ald. Dorr, the Common Council then adjourned to meet next Monday afternoon, May 20th, 1861, at 2 o'clock.

OTIS F. PRESBREY, City Clerk.

IN COMMON COUNCIL,
Buffalo, Monday, May 20th, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, President of the Council, and Aldermen Adams, Allen, Beckwith, Brush, Crowder, Dorr, Felton, Goembel, Grass, Howard, Howell, Jones, Mills, Palmer, Russell, Rutter, Savage, Scheu, Schwartz, Storck, Walsh, Wheeler and Yaw.

Absent—Hanovan and Pratt.

The minutes of the meeting held May 6th, 1861, and of the Special Meeting held May 15th, 1861, were approved.

COMMUNICATIONS FROM THE MAYOR.

GENTLEMEN,—I beg leave to inform your honorable body that on the 16th inst., the uniforms and blankets purchased by the Joint Committee, were transferred to the agents of the State, at Elmira, and receipt taken for the same.

The sale of articles above mentioned amount to $15,127 27, and was made in conformity with the contract entered into with the State by the Committee on the 11th inst. I recommend that you authorise some one to collect said amount, give receipt therefor and deposit proceeds in the Treasury to the credit of the Contingent Fund.

I am requested by the Joint Committee to ask your honorable body to draw orders in their favor as follows: one for $13,016 87 to pay account of A. & G. A. Amoux for uniforms purchased by said Committee, also, an order as above to pay for caps, amounting to $577 50.

Respectfully,
F. A. ALBERGER, Mayor.

Ald. Howard moved that the said communication be received and placed on file, and that His Honor the Mayor, F. A. Alberger, be and he is hereby authorized by the Common Council of the City of Buffalo, to receive from the State of New York the sum named in the said communication, in payment for the uniforms and blankets therein referred to, and receipt for such sum for and on behalf of the city, and that in case the said Mayor shall be unable to attend to this matter in person, that he be and is hereby authorized to appoint some person to receive the said sum and to receipt therefor. And, also, that orders be drawn as requested in said communication. Carried.

FURTHER FROM THE MAYOR.

GENTLENEN:—I herewith nominate to your honorable body the persons below named, to be policemen of the City of Buffalo:

Richard B. Harrison	in	place	of	C. C. Harris	resigned.
Darius Jewell	"	"	"	Edmund Hunn	"
John Mills	"	"	"	Niel Carney	"
Thomas Withers	"	"	"	Chas. P. Clapp	"
John Swartz	"	"	"	Joseph Friess	"

Respectfully,
F. A. ALBERGER, Mayor.

Ald. Felton moved that said communication be filed and that the subject matter be referred to the Committee on Police. Lost.

Ald. Swartz moved that said communication be received and placed on file, and that the consent of the Common Council of the City of Buffalo be and is hereby given to the appointments by His Honor the Mayor, of the persons therein nominated. Carried.

FURTHER FROM THE MAYOR.

GENTLEMEN—I have been served with summons to appear before H. B. Burt, Esq., Justice of the Peace, to answer to the demand of Wm. H. Glenty, on the 20th.

Respectfully,
F. A. ALBERGER, Mayor.

Ald. Swartz moved that said communication be received and filed, and that the City Attorney be directed to defend the suit commenced, if in his opinion it is advisable. Carried.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

GENTLEMEN—Pursuant to instructions contained in the report of the Finance Committee, adopted on the 22nd ultimo, and also as directed by resolutions adopted by you on the 6th inst., I have caused the contract and bond with seven banks named to be fully completed, and the same accompanies this communication. I recommend that said contract and bond be approved by your Honorable Body.

Respectfully,
ALONZO TANNER, Comptroller.

Filed and subject matter referred to Committee on Finance.

FURTHER FROM THE COMPTROLLER.

GENTLEMEN,—On the first proximo the following named sums will be required to pay principal and interest on City Bonds falling due on that day, in the City of New York, viz:

On $25,000 6 per cent bonds, issued June 1, 1852. Principal	$13,000 00
Interest on $25,000	840 00
On $10,000 6 per cent bonds, issued Dec. 1853. Interest	300 00
On $44,000 6 per cent bonds, issued June 1, 1854. Principal	11,000 00
Interest on $44,000	1,320 00
On $18,000 6 per cent bonds, issued June 1, 1859. Interest	540 00
Commission to Duncan Sherman & Co. ¼ ⅌ ct	67 50
Premium on draft ½ per cent	135 34
Total	$27,202 84

I recommend that orders be drawn in my favor, payable out of the General Fund for 1861, for the payment of such principal and interest, as follows:

Upon the estimates for the payment of principal on Funded Debt	$24,000 00
Upon the estimate for the payment of interest on Funded Debt	3,202 84
Total as above	$27,202 84

Respectfully submitted,
ALONZO TANNER, Comptroller.

Filed and orders directed to be drawn.

FURTHER FROM THE COMPTROLLER.

GENTLEMEN: On the 11th inst., the policy of insurance on the Mayor's office, being the whole building, fixtures, &c., expired, and the same has been renewed, for which I recommend that an order for $25 be drawn, on City Hall and Porters' Department, general fund, 1861, in favor of Rounds & Hall, in full payment of such insurance.

I also report that policies of insurance upon the school property in Districts Nos. 1, 13, 16, 30, and 31, expire on the 15th inst. The District funds are all good, save No. 16. It is recommended that orders be drawn in favor of A. A. Eustaphieve, Secretary, payable out of the local funds, of the respective School Districts, as follows; viz:

For renewal of Policy No. 4,691—Dist. No. 1						$45 00
"	"	"	"	4,692—	" " 13	46 50
"	"	"	"	4,694—	" " 30	3 00
"	"	"	"	4,695—	" " 31	30 00
Total						$124 50

On the supposition that an assessment will soon be made for District No. 16, this policy, No. 4,693, the renewal of which, will cost $30. Mr. Eustaphieve will very likely renew said policy, and await the order on said District when drawn.

Respectfully submitted,
ALONZO TANNER, Comptroller.

Filed and orders directed to be drawn.

FROM THE CITY ATTORNEY.

CITY ATTORNEY'S OFFICE,
BUFFALO, May 13th, 1861.

I hereby report that an action has been commenced against the City by C. C. Wyckoff, to recover $200 and interest from January 1, 1861, for services rendered as Physician in 1860, this claim with interest and cost amount to $215 25.

I also report that Michael Clor, as assignee of F. Schickendantz, has recovered a judgement against the City for services at Pest House, which judgment now amount to $30 80.

I also report that Adam Karn has commenced a suit against the City to recover $41 for services in removing dead animals from the street in Dec. 1860, which with costs thereon now amount to $42 12.

These accounts have all been audited and allowed by your Hon. Body at the amounts claimed, and should have been paid out of the General Fund of 1860, Board of Health Department. You directed orders to be drawn on the General Fund of 1861, Board of Health Department, to pay these claims, for the reason that there was no money left in the fund of 1860. Your action was vetoed by his Hon. the Mayor, and consequently the accounts still remain unpaid. There is no defence to the actions, and I therefore recommend that orders be drawn in my favor on the General Fund of 1861, City Attorney and Legal Expense Department, for $215 25, $30 80 and $42 12, with which to pay these claims.

Respectfully submitted.
GEORGE WADSWORTH,
City Attorney.

Referred to Committee on Finance and City Attorney.

FURTHER FROM THE CITY ATTORNEY.

I hereby report that the appeal in the suit of Sally

Hodge against The City of Buffalo, was argued at the February General Term of the Supreme Court, and that the same has been decided in favor of the City. This decision establishes the validity of the assessment for grading and paving Main street, from North street to a point 165 feet north of Ferry street, and also in effect decides suits brought by Sally B. Vandeventer, Jane E. Brown, Aurelia Mann and Anna Maria Eaton, against the City for the same alleged cause of action.

I also report that the appeal in the suit of Anna J. Stow, Executrix, &c., against the City, was argued at the same term, and has been decided in favor of the City. This action was brought to set aside the proceedings for opening De Witt street, and to restrain the City from collecting the assessment made to pay the damages awarded to the persons whose lands were taken for said street.

I also report that the suit of Adam Karn against the City, has been discontinued by the default of the plaintiff. In my communication dated May 13th, I recommended that an order be drawn to pay damages and costs, but as the suit has been discontinued, the City is not now liable for costs. I therefore recommend that an order be drawn on the General Fund, 1861, City Attorney and Legal Expense Department, for $41, in favor of Adam Karn, in full for services, as specified in my report of the 13th.

Respectfully submitted,
GEORGE WADSWORTH,
City Attorney.

Referred to the Committee on Finance, together with the City Attorney.

FROM THE STREET COMMISSIONER.

GENTLEMEN:—The undersigned reports the following repairs made and works completed at the expense severally as hereinafter stated, to wit:

ON STREETS.

Plank road repaired in Batavia street at the crossing of Spring street—$5 75.

Batavia street repaired near Elm street—$1 75.

Pearl street repaired on the easterly side between the Terrace and Seneca street—$8 18

Culvert repaired across Edward street on the southerly side of Virginia street—$8 00.

Bridge repaired over Prime Slip on Canal street—$2 01.

Bridge repaired over Erie Slip on River street—$2 63.

Referred to Committee on Streets.

ON SEWERS AND RECEIVERS

Sewer and receiver repaired at the northwest corner of Michigan and Exchange streets—$5 19.

Sewer and receiver repaired on the southerly side of Church street 100 feet easterly from Genesee street—$6.

Sewer and receiver repaired at the northeast corner of Niagara and Pearl streets—$10 05.

Receiver and sewer repaired at southeast corner of Ash and Sycamore streets—$14 20.

Sewer and receiver repaired at the northeast corner of Chippewa and Pearl streets—$31 87.

Sewer and receiver repaired at the northeast corner of Mohawk and Morgan streets—$14 73.

Sewer and receiver repaired at the northwest corner of Spring and North Division streets—$3 63.

Sewer and receiver repaired at the southwest corner of William and Hickory streets—$4 72.

Sewer and receiver reconstructed at the northeast corner of Batavia and Spring streets—$16 32.

Sewer and receiver repaired at the northwest corner of Batavia and Spring streets—$12 94.

Sewer constructed in the southerly side of Batavia street from the sewer in Emslie street to within 25 feet of Jefferson street, and sewers and receivers—$1,575.

Sewer and receiver repaired at the northwest corner of Michigan street and Burton alley—$6 60.

Sewer and receiver on the easterly side of Oak street at the north line of Virginia street (so called)—$9 81.

Sewer and receiver repaired at the northwest corner of Batavia and Pratt streets—$7 02.

Sewer and receiver repaired at the southeast corner of Washington and Ohio streets—$6 86.

Sewer and receiver repaired at the northeast corner of Moore and Miami streets—$5 60.

Sewer and receiver repaired at the N. E. corner of Elk and Illinois streets—$5 98.

Sewer and receiver repaired at the N. W. corner of William and Milnor streets—$6 31.

Sewer and receiver repaired at the N. W. corner of William and Cedar streets—$6 07.

Sewer and receiver repaired at the N. W. corner of Chicago and Folsom streets—$7 87.

Sewer and receiver repaired at the N. E. corner of Jefferson and William streets—$6 87.

Sewer repaired on the West side of Elm street, at the crossing of North Division street—$11 47.

Sewer and receiver reconstructed at the S. E. corner of Hickory and Cherry streets—$26 54.

Sewer and receiver repaired at the S. W. corner of Clinton and Elm streets—$1 97.

Sewer and receiver repaired at the N. W. corner of Clinton and Elm streets—$5 68.

Sewer and receiver repaired at the N. W. corner of Ohio and Moore streets—$4 28.

Referred to Committee on Sewers.

ON SIDE AND CROSSWALKS.

Sidewalk repaired on the southerly side of Batavia St., between Washington and Ellicott streets—$38 24.

Sidewalk repaired on the easterly side of Hudson St., between Niagara and Ninth streets—$18 24.

Crosswalk constructed across Tupper street, on the westerly side of Michigan street—$5 60.

Crosswalk repaired across Adam street, on the southerly side of Genesee street—$5 00.

Sidewalk repaired on the westerly side of Hudson St., between Ninth and Eleventh streets—$7 96.

Sidewalk repaired on the westerly side of Main street, between Allen and North streets—$24 44.

Sidewalk repaired on the westerly side of Walnut St., between Eagle and Clinton streets—$15 00.

Crosswalk constructed across Fulton street, on the west side of Alabama street—$8 16.

Crosswalk constructed across Allen street, on the westerly side of Delaware street—$7 68.

Sidewalk repaired on the south-west side of Seventh street, from a point 150 feet southerly from Maryland St., to a point 50 feet southerly from the first named point—$3 12. Referred to Committee on Side and Crosswalks.

IN THE NEW TERRITORY.

Culvert constructed across Ferry street, 200 feet easterly from Jefferson street—$18 70.

Culvert reconstructed across Ferry street, between Walden street and the Williamsville road—$8 75.

Gutter and culvert repaired at the northwest corner of Clinton and Madison streets—$2 69.

Bridge repaired on Clinton street, 200 feet easterly of the Williamsville road—$2 00.

Culvert repaired across Clinton street, between Lockwood and Emslie streets—$5 00.

Culvert repaired across Twelfth street, on the southeasterly side of Vermont street—$7 90.

Culvert repaired across Eleventh street, on the easterly side of Vermont street—$7 68.

Bridge repaired on Smith street, near the junction of the Abbott Road—$5 93.

Respectfully submitted,
L. J. WATERS,
Street Commissioner.

Referred to Committee on New Territory.

FURTHER FROM THE STREET COMMISSIONER.

GENTLEMEN,—In compliance with sections 28 and 29 of title 5 of the Revised City Charter, the undersigned herewith presents a particular statement of each improvement and the payment made therefor out of the Local Improvement Fund from December 31st, 1859, to January 1st, 1861. The total amount paid out of said fund during the year 1860, is $590 06, the amount to be assessed upon the property benefitted by such improvements, as provided in section 28 of said title, is $135 06; the sum necessary to reimburse said fund, to be included in the next annual tax, as is provided in section 29 of said title, is $455 00.

L. J. WATERS, Street Commissioner.

Referred to Committee on Streets.

FURTHER FROM THE STREET COMMISSIONER.

GENTLEMEN:—In compliance with the requirements of Section 11 of Title 12 of the Revised City Charter, the undersigned herewith presents the statement of each improvement, and the payment made therefor out of the Special Local General Fund, from December 31st, 1859, to

January 1st, 1861. The agregate amount paid out of said fund, during the year ending December 31st, 1860, is $180 32, the agregate of the sums to be assessed upon the property benefitted by the several improvements is $162 27, the sum necessary to reimburse the fund to be included in the next annual tax is $18 05.

L. J. WATERS, Street Commissioner.

Referred to Committee on New Territory.

FROM THE CITY SURVEYOR.

In compliance with your order of the 23d ult., I advertised twenty days in the city paper for proposals for the construction of a Swing Bridge across the enlargement of Buffalo Creek on Ohio street, at the Toll Bridge. Also, for constructing stone abutments, &c., for said bridge, and submit herewith the proposals received as follows:

For constructing all the masonry, &c., for said Swing Bridge:

	Total Am't.
From Strong & Richardson	$4,598 60.
From Abram S. Swartz	5,131 92
For Wood Swing Bridge Superstructure:	
From H. C. Bundage	$2,750
For Iron Swing Bridge Superstructure:	
From H. C. Bundage	$3,500
From Abram S. Swartz	3,500

PETER EMSLIE, City Surveyor.

Referred to Committee on Streets.

FROM THE SUPERINTENDENT OF SCHOOLS.

GENTLEMEN.—I have paid to J. Alfred Hayward, late teacher in District No. 28, four dollars and fifty cts., due him on account of sweeping and cleaning. The amount was chargeable to the fund of 1860, and was not included in his pay roll, owing to a misconception on my part. I paid Mr. Hayward on the eve of his departure with the second detachment of volunteers, and have no voucher therefor. I recommend that an order be drawn in my favor on the School Fund of 1860, for four dollars and fifty cents.

SANFORD B. HUNT.
Superintendent of Schools.

Filed and order directed to be drawn.

FURTHER FROM THE SUPERINTENDENT OF SCHOOLS.

GENTLEMEN:—Mr. A. S. Baze, a teacher of vocal music, wishes to teach that art in the schools. He proposes to do so without cost to the School Fund, relying upon the voluntary contributions of the scholars to remunerate him. His plan is to give one lesson of one hour, each week, in each of the graded schools of the city, receiving therefor the sum of five cents per month from each scholar who may be inclined to pay that amount. Any scholar may receive the benefit of his instructions without payment, should he or his parents be unwilling to contribute.

The scheme seems to be as unobjectionable as any that can be proposed, but it will require some action of the Council to rescind or modify that ordinance which forbids the circulation of subscriptions or contributions in the public schools.

SANFORD B. HUNT.
Superintendent of Schools.

Referred to Committee on Schools.

FROM THE CITY ASSESSORS.

Instructions having been received by the Post Master of this City, that all drop letters must be pre-paid, it will be necessary for your honorable body to provide the Board of Assessors with postage stamps, to enable them to carry out the provisions of the City Charter, in giving notices of local and other assessments.

LORENZ GILLIG,
JOB GORTON,
FAYETTE RUMSEY, } Assessors.

Referred to Committee on Finance.

FROM THE FIRE MARSHAL.

GENTLEMEN,—William I. Williams asks for payment of $300 on his contracts for building two barns. The amount of said contract is

For barn on Niagara street	$385 50
For barn on Huron street	372 00
Total	$757 50
Amount paid is nothing.	
Amount asked for	$300 00
	$457 50

I would respectfully recommend that an order be drawn on the Fire Department Fund, in favor of said Williams for $300, to apply on the above contracts.

D. KISSOCK, Fire Marshal.

Filed and orders directed to be drawn as follows, one for $150 to apply on contract for barn on Niagara street, and one for $150 to apply on contract for barn on Huron street.

FROM THE RECEIVER OF TAXES.

In the Common Council proceedings of 1856, minutes No. 5, page 30, is a resolution offered by Ald. Lockwood, requiring the Receiver of Taxes, whenever a tax roll has been confirmed and placed in his hands, to notify the parties indebted for such tax through the Post-office, stating the amount of each, and when the same is due and payable.

The Post-master has recently given notice that no drop letters will be received and delivered unless they are prepaid. This rule will subject the Receiver of taxes to a heavy tax. I therefore request your Hon. Body to rescind the above quoted resolution, or authorize me to advance the postage, by providing for the payment of the same.

Buffalo, May 20, 1861. M. WEIDRICH,
Receiver of Taxes.

Referred to Committee on Finance.

The City Clerk reported that the time for the consideration of the assessment roll hereinafter described and for the hearing of parties interested therein, had been fixed for Monday, May 13th, 1861, but as the Council failed to hold a meeting on that day it would be necessary to take some further action in relation thereto, viz:

Assessment Roll No. 2397. For repairing and maintaining the public well and pump at the corner of Sycamore and Pratt streets, amount $262.

Time for consideration—one week from to-day.

In pursuance of the instructions of your Honorable Body, at a former meeting, I sent a notice to each of the ice dealers in the city, that sealed proposals would be received in this office, to furnish ice for each of the city offices, and the Council Chamber, during the present season. I have received the following proposals:

Wm. I. Williams proposes to furnish ice during the year 1861—$16 00.

Clark and Waterman proposes to furnish Ice from the 15th day of May, to the 15th of October, 1861—$11 75.

Respectfully yours,
O. F. PRESBREY, City Clerk

Filed, and Clerk directed to contract with the lowest bidder.

The City Clerk also reported the amount due to the City Scavenger, for services for month of April. Filed, and order directed to be drawn.

The Chief of Police reported that the name of Martin Zimmer was omitted in the Police Pay Roll for month of April, and recommended that an order be drawn in favor of said Zimmer for $32 85, being the amount due him for services as Policeman in said month. Filed, and order directed to be drawn.

PETITIONS.

Of Arthur Burtis, to have tax of 1860 on lot used for church remitted.

Of Caroline Norton, to have tax cancelled. Referred to Committee on Finance.

Of sundry persons, to have the names of Louisiana, Virginia and Carolina streets changed. Referred to Committee on Streets.

Of sundry persons, for sewer in Cherry street.

Of Stephen Hebron, for permission to construct a private sewer in Pine street. Referred to Committee on Sewers.

Of George Bailey and another, to have sidewalk repaired on Edward street, between Delaware and Virginia streets. Referred to Committee on Side and Cross Walks.

Of J. C. Clifford and another, for permission to erect a frame building on Erie Canal, 325 feet north of Genesee street.

Of Peter Sonnick, for permission to move wooden building.

Of Buffalo Agricultural Machine Works, for permission to erect wood shed at No. 20 Pearl street.

Of Jacob H. Koons, for pay for damage done at fire.

Of P. M. Dantzer and others, for permission to erect wooden building on Exchange street, 80 feet east Chicago street.

Of Mathias Kertz, for permission to erect a frame barn on Ellicott street, between Chippewa and Tupper streets. Referred to Committee on Fire.

Of sundry persons, to have Anthony Taylor appointed Watchman. Referred to Committee on Police.

Of Wm. Jones, for license to sell fresh meat.

Of Alexander Barnes, for same. Referred to Committee on License.

Of Francis T. Weyland and others, for the opening of the gutter, on the easterly side of Johnson street, &c. Referred to Committee on New Territory.

Of Louis Seibert, for Fireman's Certificate.

Of Michael Hilburger, for same.

Of George Herrold, for same.

Of John Schadler, for same.

Of Joseph Keefer, for same.

Of Edward Keller, for same. Referred to Fire Commissioners with power.

Petitions of sundry persons, for the discharge of William Harrison from confinement in Erie County Penitentiary.

Ald. Howard moved that the prayer of the said petition be granted. Carried. Ayes, 21; Noes, 3.

Petition of sundry persons, for the release of John O. Meally, from confinement in the Erie County Penitentiary.

Ald. Felton moved that the prayer of the said petition be granted. Carried. Ayes, 18; Noes, 1.

Petition of Capt. E. J. Faxon, for the release of Wm. Fritts, Thomas Shell, Alfred B. Clark, Michael Coil, and Patrick Doyle, from confinement in the Erie County Penitentiary.

Ald Howard moved that the prayer of the said petition be granted Carried. Ayes, 20; Noes, 0.

Petition of the Buffalo Street Railway Company to have time for completing Ohio Street Railroad extended to June 1, 1862; whereupon

Ald. Howard offered the following resolution :—

Resolved, That the time for completing the Ohio Street Railroad and putting cars running upon the same, be and the same is hereby extended to the 1st day of June, 1862. Adopted. Ayes, 21; Noes, 0.

REMONSTRANCES.

Of C. Bartholomew, against giving A. Good permission to erect wooden building. Referred to Committee on Fire.

ACCOUNTS REFERRED.

Wesley Emmons, for labor and materials at Schools Nos. 8 and 6.

Valentine Bubus, for sawing wood for Schools.

C. M. K. Paulison, for Cyclopedias for Schools.

H. Thompson, for sundries for School No. 18.

N. B. Barker, for cleaning School House No. 7.

E. E. Carr, for cleaning School House No. 23.

N. G. Benedict, Jr., for cleaning School House No. 2.

E. A. Austin, for nails, &c. for School House No. 21.

Martin Taylor, for books for school libraries, &c. Referred to Committee on Schools.

W. I. Williams, for repairing bridge over Erie Slip on River street.

Same, for repairing wood culvert across Edmond street, on the southerly side of Virginia street.

Same, for repairing wood culvert across Eleventh street, on the southeasterly side of Vermont street.

Same, for repairing wood culvert across Twelfth street, on the southeasterly side of Vermont street.

Same, for repairing bridge over Prime Slip on Canal street.

A. D. Morton, for repairing wood culvert across William street, between Lockwood and Emslie streets.

Barnhardt Henry, for cleaning paved streets and alleys in front of public grounds and areas, in April.

George Fisher, for same.

Phillip Shaw, for same.

John Fisher, for same.

O. J. Green, for searches for City of Buffalo.

Isaac Holloway, for grading and paving Tracy street, from the westerly curb line of Delaware street to Carolina street.

O. Butler, Jr., for repairing easterly side of Pearl street, between Cazenovia, Terrace and Seneca streets. Referred to Committee on Streets.

L. Williams, for repairing bridge across Smith street, near Abbott road.

Henry Harter, Jr., for repairing sewer and receiver on northeast corner of Fifth and Pennsylvania streets.

O. Butler, Jr., for repairing sewer and receiver at the northwest corner of Chicago and Folsom streets.

Same, for same, at northeast corner of Jefferson and William streets.

Geo. Miller, for same, at northwest corner of Batavia and Spring streets.

Same, for reconstruction of sewer at northeast corner of Batavia and Spring streets.

John Wannop, for repairing sewer at southwest corner of Clinton and Elm streets.

Same, for same, at northwest corner of Clinton and Elm streets.

Same, for same, at northwest corner of Ohio and Moore streets.

Same, for repairing sewer on the west side of Elm street at the crossing of North Divis on street. Referred to Committee on Sewers.

L. Williams, for constructing a crosswalk across Allen street on the westerly side of Delaware street.

Same, for repairing sidewalk on the westerly side of Walnut street between Eagle and Clinton streets.

Same, for constructing a crosswalk across Fulton street on west side of Alabama street.

W. I. Williams, for repairing sidewalk on the westerly side of Main street between Allen and North streets

Same, for same, on southwest side of Seventh street from a point 150 feet southerly from Maryland street to a point 50 feet southerly therefrom. Referred to Committee on Side and Crosswalks.

Wm. Mench, for wood for Fire Department.

Wm. Taylor, for repairing hose for same.

Wm. I. Williams, for repairing Hook and Ladder No. 1 House.

Same, for repairing Hook and Ladder No. 2 House.

Same, for repairing Engine House "City of Buffalo."

Chester Adams, for hay for Fire Department.

D. C. Godwin, for repairs for same.

Fred. Scurwine, for labor for same.

Hersee & Timmerman, for sundries for same.

Oscar Neff, for sundries for same.

A. McDonald, 1 bay horse for same. Referred to Committee on Fire.

Clapp, Matthews & Waite, for printing Tax Sale Book, &c.

E. R. Jewett, for printing for Receiver's office.

O. F. Presbrey, for disbursements

E. R. Jewett, for publishing Comptroller's Statement — Referred to Committee on Claims.

D. S. Reynolds, for commitments to Penetentiary.

John O. Hopkins for same.

J. Van Valkenburg for same.

G. Cherry, for labor at Station Houses. Referred to Committee on Police.

Geo. Chrysler, for Brooms for Markets. Referred to Committee on Markets.

Geo. Fisher, for labor in Court House Park in April.

John Fisher, for same.

John Erb, for same.

Phillip Shar, for same in Johnson Park.

Barnhardt Henry, for same. Referred to Committee on Public Grounds.

Buffalo Gas Light Co., for Gas for Public Lamps for April. Referred to Committee on Public Lamps.

Isaac Holloway, for constructing a culvert across Niagara street, opposite Brace street.

Same for same across Niagara street, between Sloan street and Clinton Avenue. Referred to Committee on New Territory.

REPORTS OF COMMITTEES.

Ald. Howard, from the Committee on Finance, reported in favor of the adoption of the following resolutions:

That upon filing the petition of Wm. P. Fisher, with the accompanying proofs, with the Comptroller, in which said Fisher asks for a declaration of sale on certificate of tax sale No. 8899, of the sale of June 23d, 1858, of lot on the west side of Niagara street, 50 feet north of Auburn Avenue, being 32½ feet front by 80 feet deep. Also, on the north corner of Anburn Avenue, being 50x60—the said Comptroller execute and deliver to said Fisher a declaration of sale thereon, in the form prescribed by the Charter. Adopted.

That the petition of Wm. P. Fisher, asking for a declaration of sale on Tax Certificate, No. 8833 of sale of June 23d, 1858, of lot on the northwest side of Main street, part of lot No. 62, south corner of Delevan Av-

enue, 682 44-100 feet front, in depth to Linwood Avenue, be denied. Adopted.

That the petition of Emily White, asking for a declaration of sale on certificate of Tax Sale, No. 1877 of sale of June 23d, 1858, of lot on the east side of Spring street, part of outer lot No. 119, lying 187 feet south of Sycamore street, being 30 feet front by 120 feet deep, be denied, and that said White have leave to withdraw her petition. Adopted.

That the City Clerk be authorized to employ extra help in writing up the Death Record and the back minutes, &c., in his department, at the rate of not to exceed two cents per folio, and to report the expense thereof to the Council. Adopted.

By Ald. Howard—The Committee on Finance to whom was referred the communication of the Comptroller of the 27th December last, wherein he recommended orders drawn in his favor for $6,67 on the General Fund of 1860, estimate for interest on the funded debt, and for $16,22 on the Tax Loan Fund, with which to pay the account of Messrs. Duncan, Sherman & Co., for advertising &c., report in favor of adopting the recommendations of the Comptroller, and that orders be drawn according as therein recommended.

We also report that we have considered that portion of the report of the Comptroller refered to said Committee on Finance on the 6th inst., and we respectfully report back the report or communication so refered, and recommend that orders be drawn on the appropriate funds, in favor of the Comptroller, for the purposes therein enumerated, as recommended by the Comptroller. Adopted.

Also, reported in favor of the adoption of the following resolutions:

That an order be drawn in favor of the City Attorney on the General Fund of 1861, City Attorney and Legal Expense Department, for the sum of $59,37, to reimburse him for his expenses on attending late Session of Court of Appeals. Adopted.

That the Mayor, Comptroller and Chairman of the Finance Committee be authorized to settle with Michael Danner for the sum of $2,400 32, being the amount of certificates of tax sales received by Michael Danner, Jr., and not paid for to the city, and to execute to said Michael Danner a full release and discharge of all claim of the city against Michael Danner, Jr., on account of all such certificates. Adopted.

That an order be drawn on General Fund 1860, in favor of A. C. Moore, for $20 60, in full of principal and interest of the amount erroneously paid by him Nov. 30th, 1860, to redeem a lot on the alley, (south side,) between Batavia and Sycamore streets, being 200 feet front by 500 feet deep, commencing 275 feet east of Mortimer street, from certificate No. 1058 of sale of Jan. 7, 1857, for non-payment of City tax of 1855, and that the Comptroller deliver said order to said Moore, on his returning to him for cancellment the receipt given said Moore by the City for the payment of said sum, and also executing to the City his bond, with surety satisfactory to the Comptroller to indemnify the City for all damage and costs, or claim therefor, by reason of correcting the record of tax sales, so that such tax sale of said lot shall appear unredeemed and the certificate thereof still a lien on said lot.

That the Comptroller be and he is hereby directed thereupon to re-issue to the city a new certificate of the sale No. 1058, of January, 1857, and to correct the record or register of sales, in his office, of said lot so that the said sale shall be of record allen thereon. Adopted.

That an order be drawn on the tax loan fund of 1860, in favor of E. D. Efner for $12 28 in full of money erroneously paid by him to redeem from tax sale of June, 1860, (certificate No. 4679), a lot on Niagara street, easterly side, being lot 64, 66 feet front by 198 feet deep, commencing 318½ feet south of Amherst street, Oct. 16, 1860, and interest thereon, and that the Comptroller be authorised to deliver said order upon the return to him for cancelment the receipt given by the city for defrayment in question, and also executing to the city his bond with surety satisfactory to said Comptroller, conditioned to indemnify the city against all damage or claim for damage or costs, by reason of correcting the record of the tax sale of said lot.

Resolved, also, that the Comptroller thereupon correct the record of tax sales in his office so that such record shall show tax sale of 1860, (certificate No. 4679) unredeemed and alien on the lot therein described, and that he issue to the city anew certificate of such sale. Adopted.

Ald. Wheeler, from the Committee on Schools, reported in favor of the adoption of the following resolution:

That the School Committee and Superintendent are hereby authorized to ascertain the probable expense of the repairs to Public School Houses Nos. 8, 10, and 7, referred to in the communication of the Superintendent of Schools, dated May 6, and report the same to this Council. Adopted.

Also, in favor of allowing the following accounts and of drawing orders for the same:

Clapp, Matthews & Waite, for printing Superintendent of School's Report, for 1860—$205.

P. A. Balcom, for rent of building in School District No. 15—$52.

Wm. L. French, for amount paid for hanging bell in School No. 19—$18 03.

Wesley Emmons, for labor and material furnished Public School No. 4—$42.

Same, for same, at School House No. 18, charged at $43 91, allowed at—$42 25. Adopted.

Ald. Palmer, from the Committee on Streets reported in favor of the adoption of the following resolution:

That it is hereby ordered and determined by the Common Council of the City Buffalo, that the grade of Franklin street, from North street to Allen street, be, and the same is hereby established as follows; to wit:

Commencing in the center of said Franklin street, at its intersection with the southerly line of North street, at an elevation of 91.30 feet above the base line of levels; thence southerly along the centre of said street rising 1,063 feet per 100 feet for a distance of 160 feet; thence level for a distance of 175 feet; thence falling 2.34 feet per 100 feet for a distance of 115 feet; thence falling 3.846 feet per 100 feet for a distance of 546 feet to the north line of Allen street, at an elevation of 69.30 feet above the base line of levels. Adopted. Ayes, 22; Nees, 0.

That the bridge across Prime Slip on Canal street between Main and Lloyd streets, be repaired by replanking one side of the roadway with good white oak plank, and making such other repairs as may be necessary to render the bridge safe, at an expense not exceeding $75, and that the Street Commissioner is hereby directed to advertise six days in the city paper for proposals for doing the same, and report such proposals to this Council. Adopted.

That the Common Council of the City of Buffalo intend to order Franklin street graded and a carriageway paved therein 88 feet wide, and curbing set on both sides of said carriageway from the north-east line of Niagara street to the curb line on the southerly side of Chippewa street, and all necessary cross-walks constructed in said Franklin street between the above named points, and that the City Clerk cause the necessary notice of such intention to be duly published. Adopted.

That the City Surveyor is hereby directed to estimate the quantity of the several kinds of work necessary to grade Franklin street, and pave a carriageway therein, from the northeast side of Niagara street to the curb line on the southerly side of Chippewa street; also the number and location of the sewers and receivers necessary for the improvement, and that he report the same to this Council, and that the Street Commissioner advertise six days, in the city paper, for proposals, for doing said work, and that he report such proposals to this Council. Adopted.

That the City Surveyor is hereby directed to make a plan and estimate for the construction of a wood bridge across a ravine on Elk street, about 400 feet easterly from Dole street, and report; also the exact distance of such bridge from Dole street, and that when such plan is made, that the Street Commissioner advertise 6 days in the city paper for proposals to do such work and report. Adopted.

That the petition submitted to this Council April 22d, 1861, asking to have Cedar street paved between William and Batavia streets, be denied, and that the petitioners have leave to withdraw said petition. Adopted.

That the Street Commissioner cause a bridge at the junction of Smith and Abbot streets to be repaired, at an expense not exceeding $5 and report. Adopted.

That the Street Commissioner be and is hereby authorised and directed to repair the bridge across Peck slip,

at an expense not exceeding $5 and report to this Council. Adopted.

Also in favor of allowing the following accounts and of drawing orders for the same:

John Erb, for scraping dirt, &c., in front of public grounds and areas, &c., for April—$11 63.

George Miller, for repairing Batavia street near Elm street—$1 75.

Same, for repairing plank road in Batavia street at crossing of Spring street—$5 75.

John Swartz, for repairing the gutter and culvert at the southwest corner of Clinton and Madison streets—$2 09.

Wm. Mensch, for removing dirt, &c, from the paved streets and alleys of the city, for April—$266 66. Adopted.

That the City Comptroller is hereby directed to make the necessary tender to, or deposit for the parties that have not received the amount awarded damages, for taking land and property to lay out and extend Carolina street, from the Erie Canal to the Erie Basin, or Niagara River, by the Commissioner appointed to award such damage. Adopted.

Also, in favor of ordering the Assessors to make an assessment as follows:

Assess $31 for repairing Perry street, from Hamburgh street to a point 300 feet easterly therefrom. Adopted.

That it is hereby ordered by the Common Council, that Peach street be opened and made from Cherry street to High street, and the Street Commissioner is hereby directed to advertise in the official paper for six days for proposals to open and make said street between such points, and report. Adopted.

Ald. Brush, from the Committee on Sewers, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause the Sewer and Receiver at the north west corner of North Division and Jefferson streets, to be repaired, at an expense not exceeding $15, and report. Adopted.

Also in favor of allowing the following accounts and drawing orders for the same:

Henry Harter, for constructing Sewer in the side-walk on the southerly side of Batavia street, from the Sewer in Emslie street to within 25 feet of Jefferson street, and Sewer and Receiver at the south west corners of Monroe and Batavia, and Adams and Batavia streets—balance on contract $315 00.

George Miller, for repairing Sewer and Receiver at the north west corner of Michigan and Exchange streets, $5 19.

George Miller, for repairing Sewer and Receiver at the north west corner of William and Milner streets, $6 31.

John Wannop, for repairing Sewer and Receiver at the north east corner of Niagara and Pearl streets, $10 05.

Jacob Williams, for repairing Sewer and Receiver at the south west corner of William and Hickory streets, $4 72.

George Miller, for repairing Sewer and Receiver at the north west corner of William and Cedar streets, $6 07.

Henry Howter, Jr., for repairing Sewer and Receiver on the southerly side of Church street, 100 feet easterly from Genesee street, $6 00.

Jacob Williams, for repairing Sewer and Receiver at the north west corner of Spring and North Division streets $3 63. Adopted.

Also in favor of ordering the Assessors to make assessments as follows:—

Assess $14 20 for repairing sewer and receiver at the south-east corner of Ash and Sycamore streets.

Assess $14 73 for repairing the sewer and receiver at the northeast corner of Mohawk and Morgan streets.

Assess $31 87 for reconstructing the sewer and receiver at the northeast corner of Chippewa and Pearl streets.—Adopted.

Also in favor of the adoption of the following:

That the Common Council of the the city of Buffalo intend to order the mouth of the receiving sewer and the protection walls to the same repaired, at the intersection of the north line of Eagle street with the easterly line of Emslie street, and the apron leading to said sewer paved and cemented, and suitable piles driven to prevent the mouth of said sewer being stopped with ice and rubbish, and that the City Clerk cause the necessary notice of such intention to be duly published in the city papers.—Adopted.

Ald. Palmer was called to the Chair.

Ald. Swartz, from the Committee on Side and Crosswalks reported in favor of the adoption of the following resolutions:

That the owners of the land on the northwest side of Maryland street, between Tenth and Cottage streets, cause a sidewalk to be repaired, in front of their respective lots, four feet wide, by substituting new hemlock plank, three inches thick, where necessary, within ten days, and if not done within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $195, and report. Adopted.

That the owners of the land, on the easterly side of Washington street, between North street and Burton Alley, cause a sidewalk to be repaired in front of their respective lots, four feet wide, by substituting good hemlock plank, three inches thick, where necessary, within ten days, and if not done in that time, that the Street Commissioner cause the same to be done at an expense not exceeding $190, and report. Adopted.

That the owners of the land on the northeasterly side of Ninth street, between Hudson and Pennsylvania streets, cause a sidewalk to be constructed, in front of their respective lots, four feet wide, of good hemlock plank, three inches thick, where not already constructed, within ten days, and if not done within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $25, and report. Adopted.

That the owners of the lands on the westerly side of Washington street, between Ohio street and the Dock on the northerly side of Buffalo Creek, cause a sidewalk to be constructed in front of their respective lots, 12 feet wide, of good hemlock plank 3 inches thick, laid at right angles with the street, within 10 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $52, and report, and that the resolution ordering a walk at the above named point, passed April 22d, be and is hereby rescinded. Adopted. Ayes, 18; Noes, 0.

That the owners of the land on the southerly side of Eagle street, between Oak and Elm streets, cause a sidewalk to be repaired in front of their respective lots, six feet wide, by levelling the same and substituting new flagging stone where necessary, within twenty days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $50 and report. Adopted.

That the owners of the land on the southerly side of Clinton street, at the south-east corner of Clinton and Emslie streets, cause a sidewalk to be constructed in front of their lot, 4 feet wide, of good hemlock plank 3 inches thick, within ten days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $10 and report. Adopted.

That the Street Commissioner cause a plank cross walk to be re-constructed across Carlton street, on the easterly side of Michigan street, at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause a plank cross walk reconstructed across Allen street, on the easterly side of Delaware street, at an expense not exceeding $8, and report. Adopted.

That the owners of the land on the easterly side of Louisiana street, between Miami and Sandusky streets, cause a sidewalk to be reconstructed in front of their respective lots, 4 feet wide, of good hemlock plank 3 inches thick, within 10 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $100, and redort. Adopted.

That the owners of the land on the southerly side of Batavia street, between Jefferson and Madison streets, cause a sidewalk to be constructed in front of their respective lots, within 10 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $65, and report.—Adopted.

That the owners of the land on the southerly side of Batavia street, between Adams and Monroe streets, cause a sidewalk to be constructed in front of their respective lots, 6 feet wide, of good hemlock plank 3 inches thick, within 10 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $65, and report. Adopted.

That the owners of the land on the southerly side of Batavia street, between Monroe and Madison streets, cause a sidewalk to be constructed in front of their respective lots, 6 feet wide, of good hemlock plank, 3 inch-

es thick, within 10 days, and if not done within that time, that the Street Commissioner cause the same to be done, at an expense not exceeding $65, and report.—Adopted.

Also, in favor of allowing the following accounts, and of drawing orders for the same:

Fred Schelfer, for repairing a plank sidewalk on the easterly side of Michigan street, between Sycamore and Genesee streets—$49 67.

Also, in favor of directing the Assessors to make assessments as follows:

Assess $38 24 for repairing the plank sidewalk on the southerly side of Batavia street, between Washington and Ellicott streets.—Adopted.

Assess $18 24 for repairing the plank sidewalk on the easterly side of Hudson street, between Niagara and Ninth streets. Adopted.

Also in favor of allowing the following accounts, and of drawing orders for the same:

William I. Williams, for repairing plank cross-walk across Adam street on the southerly side of Genesee street, $5 00.

William I. Williams, for constructing plank cross-walk across Tupper street on the westerly side of Michigan street, $5 60. Adopted.

Also in favor of the Assessors making an assessment as follows:

Assess $7 96, for repairing the plank side-walk on the westerly side of Hudson street, between Ninth and Eleventh streets. Adopted.

Ald. Yaw, from the Committee on Fire, reported that the Committee had directed the Fire Marshal to contract with Mr. C. G. Mathews, for 300 feet of linen hose at 75 cent per foot, couplings for the same to be furnished by the City but attached by said Mathews.

Ald. Storck, moved to amend the said report, so that the Fire Marshal be directed to contract with said Mathews for 1000 feet of hose, to be delivered during the present year.

Ald. Yaw, moved to refer said report back to the Committee. Lost.

The motion by Ald. Storck was then lost—ayes 7, noes 13.

Ald. Storck, moved to fix the amount of hose at 500 feet. Lost.

The action of the Committee was then approved.

Also in favor of the adoption of the following resolutions:

That the petition of J. Stellwagen, asking permission to move a frame dwelling house, from the west side of Franklin street, to the east side of Ellicott street, north of Tupper street, be, and the same is hereby denied, and that the said Stellwagen have leave to withdraw his petition. Adopted.

That the petition of A. Good, asking permission to erect a wooden building to be used as a boiler shop, on Indiana street, between Ohio and Perry street, be denied.—Adopted.

Also, in favor of allowing the following accounts, and of drawing orders for the same:

Andrew Voght, for sleeping in Engine House—$8 00.

D. C. Godwin, for repairs &c., for Fire Department—$88 76.

Donald Thane, for washing, &c., for same—$6 95.

John L. Leader, for shoeing horses for same—$14 52.

D. W. Waterman, for use of team for same, charged at $7 50, allowed at $5 65. Adopted.

Ald. Howell, from the Committee on Claims, reported in favor of allowing the following accounts, and of drawing orders for the same:

Cortland Lake, for services as Crier of Superior Court. Amount claimed, $111 00; allowed at $99 00.

P. H. Bender, for publishing works ordered by Council. Charged at $4 58; allowed at $5 58.

Same, for publishing Assessment Rolls, &c. Charged at $18 48; allowed at $17 88.

Warren Granger, for expenses to Albany and back at request of Mayor, $8 00.

Webster & Co., for sundries for City Buildings, $7 92.

Clapp, Matthews & Waite, for printing Index to Minutes of 1860, $95 00.

John W. Stewart, for Sunday service, in giving certificates of death, $21 00.

Hart, Ball & Hart, for repairs to various City Offices, $1 40.

P. H. Bender, for advertising for Assessors, $6 00.

F. A. Alberger, for disbursements for 1860, $7 29. Adopted.

Also reported against allowing the account of Geo. Orr. for tending door in November, 1860, at 18th Ward Polls, for the reason that there is no authority for the expense. Adopted.

Ald. Mills, from the Committee on Police, reported in favor of allowing the following accounts and of drawing orders for same:

John Cronyn, for medical attendance at Watch House—$8.

Jacob Bloom, for commitments to Penitentary—$11 25.

C. G Irish, Jr., for desk &c., for Chief of Police—$12. Adopted.

Ald. Storck, from the Committee on Markets, reported in favor of allowing the following account and of drawing an order for same:

Geo. Augstell, for lock &c. for market—$2 75. Adopted.

The President resumed the chair.

Ald. Allen, from the Committee on Wharves, Harbors and Ferries, reported in favor of the adoption of the following resolutions:

That when an assessment shall be confirmed for defraying one half of the expense for dredging Buffalo Creek, from the west end of the North Pier to the southerly side of South street, the City Surveyor and Chairman of the Committee on Wharves, Harbors and Ferries, be authorized to contract with Bernard Cunningham to dredge Buffalo Creek, from the west end of the North Pier to the southerly side of South street, at a price not exceeding 12 cts. per cubic yard, to be measured from the dump boat, the same to be done according to the plan and specifications on file in the City Surveyor's office.—Adopted.

That the City Surveyor and the Chairman of the Committee on Wharves, Harbors and Ferries, advertise five days for proposals to remove the vessel now laying on the bottom of the Creek, nearly opposite the Buffalo Elevator to the beach outside of the Light House, and report.—Adopted.

Also, in favor of allowing the following account, and of drawing an order for same:

S. R. Curtis, for removing obstructions from Buffalo Creek, $10. Adopted.

Ald. Allen presented the following copy of the action had by the Council of Fort Erie, C. W., in relation to a Ferry across Niagara River.

Moved by Benjamin F. Thompson, seconded by Oliver Matthews, and

Resolved, Whereas it has become imperatively necessary for the Council of this Village to take immediate action in the letting of the Ferry at this place, in order that the interest of the Corporation be cared for, and that the public accommodation be improved at as early a day as possible, it is hereby

Resolved, That the said Ferry be now offered for public competition, to such parties as may deem proper to tender for the same, for the term of from one to ten years. Tenders will be received by this Council, until Wednesday, the 22d inst., under the following restrictions:

1st. The parties to state the size, power, and dimensions of the boat or boats, and that they will increase such boat or boats, as the public necessities may require from time to time, during the term of said lease.

2d. The round-trip during the day, from sunrise until sunset, to be made within 30 minutes. One trip to be made during the evening, say on the arrival of the last street car from Buffalo.

3d. To state the Tariff, (foot passengers not to exceed 5 cents,) all other rates to be named by the parties making the tender.

4th. That all landings and approaches to the Ferry, to be made and kept up by the Lessee of the Ferry, during the said Lease.

5th. That the place for a permanent landing of the Ferry-bort shall be at some central point within the Corporation, neither below Cowtherd's dock, nor above Queen street, which point shall be named, if necessary, by this Council, before granting the Lease.

6th. That the tender which this Council shall deem most to the advantage of this Corporation, and the public interest and accommodation, will be accepted and acted upon.

7th. The parties to name the time when they will be prepared to enter on the Lease. As much delay has been caused, and loss to this Corporation already, in waiting the action of the Buffalo Council, and as a matter of courtesy this Council felt bound to allow a reasonable time to

elapse before taking decisive action in this matter, in order to co operate, if possible, in the establishing a suitable Tariff, to meet the Lessee's interest and the public accommodation.

8th. The successful parties getting the Lease, will receive notice, at an early day, of this Council's acceptance of their tender. Carried.

Passed in Fort Erie Council, this 16th day of May, 1861.
GEORGE LEWIS, Clerk.

Ald. Allen then offered the following:

Resolved, That the Mayor is hereby authorized and requested to give a license to the party or parties who shall obtain a License from the Council of Fort Erie, and on the same terms in every respect as granted by said Council, except the rate of fare shall not exceed

For each foot passenger	5 cents.
For each horse and rider	10 cents.
For each single horse, wagon and driver	15 cents.
For each two horse team and driver,	35 cents.
For each passenger on any vehicle, except the driver	5 cents.
For each vehicle and driver, drawn by four horses	40 cents.
Grain in bags when loaded in a wagon or other vehicle, per bushel	½ cent.
Cattle, horses and mules, in numbers less than ten, each	10 cents.
In numbers over ten, each	5 cents.
Hogs and sheep, in numbers less than ten, each	5 cents.
In numbers over ten, each	2 cents.
For each barrel bulk	5 cents.
All articles not enumerated per barrel bulk	5 cents.

Ald. Howard, moved that the copy of the action of the Council of Fort Erie, C. W., together with the resolution offered by Ald. Allen be printed, and referred to the Committee on Wharves, Harbors and Ferries, Carried.

Ald. Yaw, from the Committee on Public Lamps, reported in favor of allowing the following accounts and of drawing orders for same.

Buffalo Gas Light Co. for gas for public lamps for April —$2,874 99.

Chas. Groben, for lighting, &c, public lamps for April —$416 13. Adopted.

Ald. Savage from the Committee on Sanitary Measures reported in favor of allowing the following account and of drawing an order for same.

E. G. Luce for attendance at City Clerk's office Sundays, in 1860, to issue permits for interment—$78. Lost.

Ald. Howell moved that the vote taken on said report be reconsidered. Carried.

The said report was then referred back to the Committee on Sanitary Measures together with the City Attorney.

Ald. Crowder, from the Committee on New Territory, reported in favor of the adoption of the following resolutions:

That a stone Side-Walk be constructed on the southerly side of Amherst street, between the westerly curb line of Dearborn street and the side-walk on the easterly side of Niagara street, four feet wide, at an expense not to exceed $100, and that the Street Commissioner is hereby directed to advertise six days for sealed proposals to do said work, and report. Adopted.

That the Street Commissioner cause the pavement to be repaired, in Niagara street, at the north end of the bridge across Scajaquada Creek, under the advice of the City Surveyor, and at an expense not to exceed $50, and report. Adopted.

That the Street Commissioner cause the Bridge across a ravine on Clinton street, between Lockwood street and the N. Y. Central R. R., to be repaired at an expense not exceeding $10, and report. Adopted.

That the owners of land on the southerly side of Ferry street, between Jefferson and Walden streets, cause a side-walk to be constructed in front of their respective lots two feet wide, of good pine plank two inches thick, well spiked to good sound bearers, within 10 days, and in case the same is not done within that time, that the Street Commissioner is directed to report such portions of the same remaining unconstructed to this Council. Adopted.

That the Common Council intend to order a plank side walk, constructed two feet wide, on the southerly side of Ferry street, between Jefferson and Walden streets, and that the Clerk give the necessary notice. Adopted.

That it is hereby ordered by the Common Council that the grade of Ferry street, from Main street to Niagara street, be altered and established as follows, to wit:

Commencing at the intersection of the centre line of Ferry street with the westerly line of Main street, at an elevation of 58,50 feet above the base line of levels; thence westerly, following the centre line of Ferry street, rising 0.257 feet per 100 feet, for a distance of 584 feet; thence rising 2.38 feet per 100 feet, for a distance of 366 feet; thence rising 6.32 feet per 100 feet, for a distance of 239 feet, to the easterly curb line of Delaware street, at an elevation of 83.80 feet above the base line of levels, thence level for a distance of 42 feet, to the westerly curb line of Delaware street; thence falling 0.93 feet per 100 feet, for a distance of 1269 feet; thence falling 1.51 feet per 100 feet, for a distance of 1000 feet; thence falling 0.20 feet per 100 feet for a distance of 420 feet; thence falling 0.60 feet per 100 feet, for a distance of 1550 feet to the easterly line of Niagara street, as the same is now paved, at an elevation of 39.20 feet above the base line of levels. Adopted. Ayes 21—Noes 0.

That the Street Commissioner is authorized and directed to contract with Isaac Holloway to grade and work Ferry street to the established grade from Delaware street to Elmwood Avenue;—said Holloway to do the same under the direction of the Street Commissioner, and without expense to the City, or tax payers, and all the surplus earth to belong to said Holloway—and be taken away by him. Adopted.

That the Common Council intend to order the easterly side of Niagara street repaired from the southerly end of bridge across Scajaquada Creek, to a point 100 feet southerly—and that the City Clerk cause the necessary notice to be published.

Also, in favor of allowing the account of Samuel Swartz, for removing obstructions from under the bridge, across Scajaquada Creek, on Niagara street—amount $125, and of drawing orders for same. Adopted.

Also, in favor of allowing the following accounts, and of drawing orders for same; viz:

John Wannop, for digging test pits for sewer on Breckenridge street—$7 50.

Alvin Joslyn, for repairing bridge on Clinton street, 200 feet easterly from Williamsville road—$2 00.

Samuel Swartz, for constructing bridge across Scajaquada Creek, on Niagara street, balance due on contract $75 00.

George Miller, for repairing Niagara street, at the intersection of Tenth street—$3 13.

Same, for repairing the gutter on the westerly side of Main street, at the southerly end of the bridge across Scajaquada Creek—$2 57.

W. I. Williams, for repairing the wood culvert across Utica street, on the southeasterly side of Massachusetts street—$4 90. Adopted.

Also, in favor of ordering the Assessors to make assessments as follows:

Assess $18 70, for reconstructing a culvert across Ferry street, about 200 feet easterly from Jefferson street. Adopted.

Assess $8 75, for reconstructing a culvert across Ferry street, between Walden street and the Williamsville Road. Adopted.

Also in favor of the adoption of the following resolutions:

That it is hereby ordered and determined by the Common Council of the city of Buffalo that the grade of Niagara street, from the north line of Amherst to the north line of Hamilton street be, and the same is hereby established as follows:—Commencing at the end of the present paving of Niagara street, at the intersection of the north line of Amherst street with the center line of Niagara street, at an elevation of 13 10-100 feet above the base line of levels; thence northerly along said center line of Niagara street, falling 0.20 feet per 100 feet for a a distance of 680 feet to the northerly line of Hamilton street, at an elevation of 11.76 feet above the base line of levels. Adopted. Ayes, 22; Noes, 0.

That it is hereby ordered and determined by the Common Council of the City of Buffalo, that Niagara street be graded its full width, and a carriage-way paved therein 42 feet wide, and curbing set on both sides of said carriage-way, from the northerly line of Amherst street to the northerly line of Hamilton street, and crosswalks constructed across Niagara street, on both sides of Hamilton street, and sewers and receivers constructed on

each side of Niagara street, at the south line of Hamilton street, and platform stones placed in said Niagara street between the points above named. And the Street Commissioner is hereby directed to advertise for six days for proposals to do said work, and report to this Council. —Adopted: Ayes, 22; Noes, 0

That the Common Council of the City of Buffalo intend to order Niagara street repaired from the northerly line of Hamilton street, to the centre line of Bird street, by planking a roadway, eight feet wide, with good pine plank, four inches thick, or Oak plank, three inches thick, and that the City Clerk be directed to cause the necessary notice of such intention to be duly published. And that the resolution adopted April 25th, 1861, declaring the intention of the Council to order said Niagara street repaired between the above named points by planking a roadway ten feet wide, be and the same is hereby repealed. Adopted—Ayes, 21; Noes, 0.

That the Common Council of the City of Buffalo intend to order Niagara street repaired from the centre of Bird street to the Cornelius Creek, by planking a roadway eight feet wide, with good pine plank, four inches thick, or oak plank, three inches thick, and that the City Clerk cause the necessary notice of such intention to be duly published. And that the resolution adopted April 25th, 1861, declaring the intention of the Council to order said Niagara street repaired between the points above named, by planting a roadway ten feet wide, be and the same is hereby repealed. Adopted—Ayes, 21; Noes, 0.

That Amherst street be repaired from Niagara street to Tonawanda street at an expense not to exceed $50, and that the Committee on New Territory be directed to cause the same to be done Adopted.

Ald. Howell moved that the order of business, "The Committee of the Whole," be temporarily suspended. Carried.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Howard—It having been represented by the Comptroller that application has been made to him by various tax-payers who have desired to avail themselves of the offer of the city to receive the amount of the sales of their lots, held by the city, with interest at 7 per cent, if paid on or before the first day of June next, with all necessary expenses, but have been unable to procure the money therefor, and have asked the city to assign such tax sales to some friend who may be willing to advance the money necessary at 7 per cent, on the security of such certificates of sale. Therefore,

Resolved, That the Comptroller be and is hereby authorized, on the written request of the owner or other person interested in the redemption of lots sold to the city for nonpayment of taxes, who shall apply to redeem the same under and in pursuance of the resolution of the Council passed January 28th, 1861, to assign the certificates of sale to the person named in such request, upon the payment by such assignee, of the amount of such sale and the expenses, and the amount of interest the resolution referred to requires of lot owners to redeem such sales. Adopted.

By Ald. Dorr—That the action of the City Clerk, in causing the American flag, staff, &c., placed on the City Buildings, be approved by this Council. Adopted.

By Ald. Wheeler—That the Comptroller report at the next meeting of this Council what amount of the school moneys apportioned to the city by the State has been paid into the City Treasury; and that he also report what portion remains unpaid, if any. Adopted.

By Ald. Allen—That the City Surveyor and the Chairman of the Committee on Wharves, Harbors and Ferries, advertise for proposals for dredging Buffalo Creek, outside of North Pier, according to the plans and specifications on file in the City Surveyor's office.

Ald. Howard moved to amend said resolution, by adding thereto the following: "each proposal to be accompanied with a guarantee, signed by two responsible persons, that the contract will be taken at the price proposed (if awarded to the bidder,) and faithfully performed." Amendment accepted.

And the said resolution, as so amended, was then adopted.

By Ald. Walsh, That the Mayor and Street Commissioner use their exertion to have the bridge over Ohio Basin Slip, on Elk street, repaired without delay, as the said bridge is not safe to cross over. Adopted.

By Ald. Howard—That leave be granted to Wm. P. Fisher to withdraw his petition for declaration of sale on tax scrip No. 8190, of June sale of 1858. Adopted.

By Ald. Stark—That the City Clerk be and is hereby authorized to procure a desk and pigeon holes for the use of the Clerks in his office—there not being sufficient desk room for the same, at an expense not to exceed $15.—Adopted

By Ald. Howard—That His Honor the Mayor be and he is hereby associated with the respective Special Committees, having in charge the settlement with parties holding tax scrip belonging to the city, and the subject of settling with defaulting Collectors, Justices of the Peace and other officers or persons indebted to the city and their respective sureties. And that said Committees as constituted have full power to effect said objects, and that the City Attorney be and he is hereby directed under the directions of said Committees respectively, to commence suits and prosecute the same to judgment for any claims the city may have by reason of any such indebtedness or defalcations. Adopted.

By Ald. Yaw—That all the Street Railroad Companies of this city be, and they are hereby directed to clean the street or streets along which their tracks are laid, in accordance with the City Ordinances, and at the same time that parties living on such street are required to do the same, in accordance with the rules and regulations adopted by this Council for the said Railroad Co's, and that the Street Commissioner is hereby directed to see that this order is carried out. Adopted.

Also, that the *usual parade* of the Fire Department in June be postponed until the further order of this Council. Adopted.

By Ald. Dorr, that the Street Commissioner cause the Fountain in Johnson Park to be repaired, at an expense not to exceed $10, and report. Adopted

By Ald. Crowder, that the Street Commissioner cause the wood culvert across Albany Street, on the westerly side of North Washington street to be repaired, at an expense not to exceed $6 00, and report Adopted Ayes 22, Noes 0.

Resolutions were offered and referred to Committees, as follows:

That the Comptroller withdraw from his Tax Sale for 1861, the parcels of lands advertised for sale, on account of extending Sandusky street. Referred to Committee on Finance.

That the Superintendent of Schools cause all school property stored in building belonging to James O'Brien, to be removed. Referred to Committee on Fire, and City Attorney.

That a wood culvert be constructed across Fulton St., on easterly side of Alabama street.

That the gutter at the north-west corner of Main and Niagara streets be deepened.

That the Street Commission cause Fulton St. to be repaired, between Chicago St. and Ohio Basin Slip.

That Jefferson St. be repaired, between South Division and Clinton streets.

That the gutter be repaired, on the east side of Main St., between the American Hotel and Eagle streets. Referred to Committee on Streets.

That the Street Commissioner cause the sewer on Hudson St., between the Canal and Fifth St., to be repaired.

That the Street Commissioner cause the sewer and receiver in front of Washington Market, on Washington St., to be repaired. Referred to Committee on Sewers.

That the Street Commissioner cause the sidewalk on the northerly side of Fulton St., between Alabama and Hamburgh streets, to be repaired.

That a sidewalk, on the northwesterly side of Maryland street, between Sixth and Seventh streets, be repaired.

That a sidewalk be repaired on the southerly side of Eagle street, between Main and Washington streets

That a sidewalk be repaired, on the westerly side of Hamburgh street, between Fulton and Perry streets.

That a sidewalk, on the northerly side of Genesee street, between Oak and Elm streets be repaired.

That a sidewalk, on the west side of Boston Alley, between Goodell street and Goodell Alley, be repaired.

That a sidewalk be repaired on the southeasterly side of Genesee street, commencing 250 feet northeast of Herman street, to the beginning from thence, 150 feet.

That the Street Commissioner cause the plank crosswalk, across Grosvenor street, on the northerly side of South Division street, to be repaired.

That a plank crosswalk, across Tupper street, on the northwesterly side of Carolina street be constructed.

That the plank crosswalk across Fulton street, on the westerly side of Hamburgh street be repaired.

That the crosswalk across Fulton street, on the northerly side of Alabama street, be repaired. Referred to Committee on Side and Crosswalks.

That the Engine House of Live Oak Co. No. 2, be repaired. Referred to Committee on Fire.

That the Street Commissioner cause the pump to well at corner of Eagle and Michigan streets to be repaired. Referred to Committee on Water.

That a wood culvert across York street, on southerly side of Fourteenth street be repaired.

That the wood culvert across Chenango street, on the northwesterly side of Rhode Island street be repaired.

That the wood culvert across Forest Avenue, about 1,700 feet westerly from Delaware street, be repaired.

That a side-walk be repaired on the south east side of Massachusetts street, between Tenth and Eleventh streets.

That a side-walk be repaired on the easterly side of Ninth street, between York and Jersey streets.

Ald. Howard, moved, that when this Council adjourns, it adjourn to meet this evening at half past 7 o'clock. Carried.

Ald. Walsh moved, that this Council do now adjourn. Lost.

Ald. Storbk, moved, that the Common Council do now resolve itself into the Committee of the Whole, for the purpose of considering the subject matter of revising the City Ordinances. Carried.

Ald. Beckwith was called to the chair.

The Committee of the Whole rose, and by their chairman, Ald. Beckwith, reported that they had had under consideration the subject matter of revising the City Ordinances, had made some progress therein, but not having gone through therewith asked leave to sit again.—Leave granted.

On motion of Ald. Yaw the Common Council then adjourned to meet this Monday evening, May 20th, 1861, at half-past 7 o'clock.

O. F. PRESBREY, City Clerk.

IN COMMON COUNCIL,
Buffalo, Monday, May 20th, 1861,
At half-past 7 o'clock, P. M.

A quorum not being present the Common Council stood adjourned to meet next Monday afternoon, May 27th, 1861, at 2 o'clock, P. M.

O. F. PRESBREY, City Clerk.

MINUTES No. 20.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
BUFFALO, Monday, May 27th, 1861,
At 2 o'clock P. M.

Present, Ald. Allen, Beckwith, Brush, Crowder, Dorr, Felton, Goembel, Grass, Hannovan, Howard, Howell, Jones, Mills, Palmer, Rutter, Savge, Scheu, Schwartz, Storck, Walsh, Wheeler, and Yaw.

Absent—Ald. Adams, Bemis, Pratt, Russell.

In the absence of the President, Ald. Palmer was called to the Chair.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM THE MAYOR.

GENTLEMEN: In accordance with a request made by your honorable body at your last session, I went to Albany and received from the State Fifteen thousand one hundred and twenty-seven dollars and 75 cents, in full for the uniforms and blankets purchased for the 74th Regiment, and sold to the State of New York by the "Joint Committee." The money has been paid into the treasury of the city and placed to the credit of the contingent fund. By the next session of the Council the Committee will be prepared to state the amount of the loss the city will have incurred by reason of the purchase of uniforms, &c.

I return without approval a resolution adopted on the 20th instant, directing an order to be drawn on the "Erroneous Tax Fund" for $20 69, in favor of A. C. Moore; also, a resolution adopted at the same session directing an order to be drawn on "Tax Loan Fund" for $12 88, in favor of E. D. Efner.

I learn that both of the persons named in the above resolutions have paid taxes on lands which they were not owners of, and now seek to be reimbursed by the city for the amount paid by them through mistake. You honorable body also directed the Comptroller to charge back again upon the property the tax thus paid, to take security from Messrs. Efner and Moore to protect the city from eventual loss.

The objections to the course above proposed is, that no action that your honorable body can now take can restore vitality to the tax and create a lien upon the real estate, and there is consequently no remedy by which the city can recover. If the persons whose tax has been paid do not see fit to discharge the moral obligations they are under, the city could not compel them, as the city has by the receipt of the amount of the tax, *discharged* and *surrendered all its claims* upon the property. It is eminently just and proper that the parties should look to the owners of the property for the recovery of their money instead of the city, as it has been by no action of the city that they are thus subjected to loss. There are other important objections existing against this procedure, which it is not material to recount at the present time.

At the last session of the Council I presented the names of several persons to be policeman, and among which is the name of Thos. Withers. I intended to have nominated William Withers, and do not know of any person named Thos. Withers

That the error may be properly corrected, I herewith nominate to your Hon. Body, William Withers, to be policeman, in place of Charles P. Clapp, resigned.

Respectfully,

F. A. ALBERGER, Mayor.

Ald. Howard moved that said communication be received and placed on file, and that the subject matter of so much thereof as relates to uniforms, and to orders directed to be drawn in favor of A. C. Moore, and E. D. Efner, be referred to the Committee on Finance. Carried.

Ald. Howard then moved that the consent of the Common Council of the City of Buffalo be, and the same is hereby granted, to the appointment by His Honor the Mayor, of William Withers as a Policeman of the City of Buffalo. Carried.

OFFICERS OF THE CORPORATION.

The Comptroller reported the amounts due to the employees in his office for services for the month of May, and recommended that orders be drawn for same Also requested that an order be drawn in his own favor for $250 00, to apply on salary. Filed and orders directed to be drawn.

FROM THE STREET COMMISSIONER.

GENTLEMEN,—I report the following named repairs made, and works completed at the expense severally, as hereinafter specified, to wit:

ON SEWERS AND RECEIVERS

Sewer and receiver repaired at the south east corner of Church street and the Terrace—$7 77.

Sewer and receiver re-constructed at the south-east corner of Hickory and Cherry streets—$26 54.

Sewer in Fulton street repaired, 50 feet westerly from Alabama street—$5 09.

Sewer and receiver repaired at the south-west corner of Niagara and Carolina streets—$4 51.

Sewer and receiver repaired at the north-west corner of North Division and Jefferson streets—$15 42.

Referred to Committee on Sewers.

ON SIDE AND CROSSWALKS.

Crosswalk repaired across Spring Street north side of Clinton street, $7,20.

Crosswalk repaired across Goodell street on the north side of Cherry street, $7,00.

Crosswalk constructed across Pratt street, on the northerly side of William street, $6,64.

Crosswalk constructed across Burton Alley, on the east side of Weavers Alley, $2,88.

Crosswalk across Locust street, on the northerly side of Cherry street, repaired, $8,90.

Crosswalk constructed across Fifth street, on the southerly side of Virginia street, $6,56,

Crosswalk repaired across North Washington street, on the westerly side of Ferry street, $5,76.

Sidewalk repaired on the easterly side of Jefferson, between North Division and Eagle streets, $8,68.

Respectfully submitted,

L. J. WATERS, Street Commissioner.

Referred to Committee on Side and Crosswalks.

The Street Commissioner also reported the amount due the keeper of the Court House Park for services for month of April. Also the amounts due the employees in his office for month of May, and recommended that orders be drawn for same.

Filed and orders directed to be drawn.

FURTHER FROM THE STREET COMMISSIONER.

In compliance with your directions, the undersigned advertised for proposals to furnish lots for one or more public Pounds, and have received the following:

From W. C. Sherwood, a lot on the southwest corner of Brown and Madison streets.

Also, a lot on the northeast corner of Butler and Rogers streets.

From Wm. Treat, a lot on North street, near Michigan street.

From Augustus Bare, a lot at the Cold Springs.

The terms are named in the several proposals, which is herewith submitted.

L. J. WATERS, Street Commissioner.

Referred to Committee on Streets.

FURTHER FROM THE STREET COMMISSIONER.

In compliance with your directions, the undersigned advertised for proposals to construct a sewer in the southerly side of Seneca street, from the termination of the present sewer in said street to the Old City Line, and have received the following.

James Duffee,	per lineal foot—	86	cts.	
Herman Schong,	" "	" —73	"	
David Walker, Jr.	" "	" —88	"	
Patrick Lynch,	" "	" —69	"	

L. J. WATERS, Street Commissioner.

Referred to Committee on Sewers.

FROM THE CITY SURVEYOR.

In the execution of your order of May 20th, requiring an estimate for grading and paving Franklin street, 38 feet wide, from the northeast line of Niagara street to the southerly curb line of Chippewa street, I find that the grade of Franklin street, between those points, as established May 3d, 1833, is as follows:

Beginning at Chippewa street, one foot below present surface, from thence to Huron street, three feet above surface, from thence to Court street surface, and thence to Niagara street surface.

As there is nothing definite in the above grade, I have made an accurate survey of that portion of the street and submit herewith the following grade which will conform very nearly with the location of the permanent sidewalks as laid, and would respectfully recommend that it be adopted as the grade of Franklin street, between the points above named, commencing at the intersection of the northeasterly line of Niagara street, with the centre line of Franklin street, at an elevation of 29 10-100 feet above the base line of levels. Thence northerly along said center line of Franklin street, rising 0.33 feet per 100 feet to the southerly curb line of Court street. Thence level to the northerly curb line of Court street. Thence rising 0 22 per 100 feet to the southerly curb line of Genesee street, thence rising 0 25 feet per 100 feet to the northerly curb line of Genesee street. Thence rising 0.21 feet per 100 feet to the southerly curb line of Mohawk street. Thence level to the northerly curb line of Mohawk street. Thence rising 0.26 feet per 100 feet to the southerly curb line of Huron street. Thence level to the northerly curb line of Huron street. Thence rising 0.94 feet per 100 feet to the southerly curb line of Chippewa street, at an elevation of 37 20-100 feet above the base line of levels.

The following estimate of the quantities of work necessary for grading and paving Franklin street as required by your order is made in conformity with the grade, I herewith submit, and is as follows:

Earth excavation, cubic yards, 6,421; Paving, square ft., 67,616; Curbing, lineal feet, 8,418.

SEWERS AND RECEIVERS.

At southeast corner of Court and Franklin streets—1
" " " " Huron " " " 1
" " " " Chippewa " " 1
14 platforms, square feet, 448.

PETER EMSLIE, City Surveyor.

—Referred to Committee on Streets.

The City Surveyor also reported the amounts due the employees in his office for the month of May, and recommended that orders be drawn. Filed and orders directed to be drawn.

FROM THE FIRE MARSHAL.

GENTLEMEN—I have locked up the house of Hook and Ladder Company No. 1. That Company having determined to do no more fire duty, and removed their private property from the house.

D. KISSOCK, Fire Marshal.

Referred to Committee on Fire.

GENTLEMEN—The Board of Assessors have appointed Albert H. Blossom a Clerk in their Department, in place of A. P. Dunlap who has volunteered in the service of his country, and respectfully ask for his confirmation by your honorable body. Respectfully yours,

JOB GORTON,
FAYETTE RUMSEY.

Ald. Dorr moved that the said communication be filed, and the nomination therein made confirmed.

Ald. Howard moved as an amendment to the motion of Ald. Dorr, that the salary of the Clerk in the Assessor's office, be fixed at the rate of $700 per year, until the return of Mr. Dunlap, provided he return the present year. Carried.

Ald. Howell then moved that the nomination of Albert H. Blossom as Clerk in the Assessor's Department be confirmed. Carried.

The Assessors also reported the amount due the clerk employed in their office, for services to June 1st, and recommended that an order be drawn for same. Filed and order directed to be drawn.

The Receiver of Taxes reported the amounts due the employees in his office for the month of May, and recommended that orders be drawn. Filed and orders directed to be drawn.

The City Clerk reported the amounts due to the employees in his office for the month of May; also amounts due to the Harbor Masters, and the Porters to the City Buildings for services for the month of May, and recommended that orders be drawn for same. Filed and orders directed to be drawn.

Assessment Roll No. 2397—For repairing and maintaining the public well and pump at the corner of Sycamore and Pratt streets—Amount $262 00—the time for the consideration of which, and of the objections thereto, had been fixed for to-day, was taken up.

Consideration postponed until three weeks from to-day.

Assessment Roll No. 2376—For the purpose of paying the just compensation awarded to the person or persons owning or having an interest in the land and property taken to lay out Carlton street, from the easterly line of Main street to the northwesterly line of Genessee street, together with the costs and expenses of ascertainment—Amount $3573 67, the time for the further consideration of which, and of the hearing of parties interested therein, had been postponed until to-day, was taken up.

Time for consideration further postponed until four weeks from to day.

PETITIONS.

Of George Palmer, for the payment of local orders.

Of E. D. Efner, to be relieved from Water Tax. Referred to Committee on Finance.

Of R. Potts and others, to have Hamburgh St. repaired.

Of James Brayley and others, to have Huron street graded and paved, between Morgan street and State Reservation Line. Referred to Committee on Streets.

Of L. F. Bissell and others, for sewer in Washington street, between High and Virginia streets. Referred to Committee on Sewers.

Of John W. Clark and another, to have side and cross walks repaired on the westerly side of Hamburgh street, between Mackinaw street and Railroad track. Referred to Committee on Side and Crosswalks.

Of A. Sutherland, for permission to remove and erect wooden building. Referred to Committee on Fire.

Of James Wright and others, for the enforcement of the ordinance designating Hack stands. Referred to Committee on Police.

Petition of Thomas Vaughn and others, for the release of Timothy Farrell from confinement in the Erie Co. Penitentiary.

Ald. Hanovan moved that the prayer of the said petition be granted. Carried; Ayes, 20: Noes, 0

Petition of A. A. Swan, for permission to erect an addition to his frame dwelling house, at No. 129 Eagle st., to be 30 by 16 feet, and 10 feet high.

Ald. Jones moved that the prayer of the said petition be granted, under the direction of the Fire Marshal, and subject to the further order of the Council. Carried. Ayes, 19; Noes, 0.

Petition of J. Stellwagen, for permission to remove a frame dwelling from the west side of Franklin street, between Huron and Chippewa streets, to the east side of Ellicott street, about 50 feet north of Tupper street.

Ald. Yaw offered the following resolution:

That that portion of the report of the Committee on Fire, adopted May 13th, and referring to the petition of J. Stellwagen, be reconsidered. Adopted. Ayes, 20; Noes, 0.

Ald. Yaw then moved that the prayer of the said petition be granted, under the direction of the Street Commissioner, and subject to the further order of the Common Council. Carried. Ayes, 20; Noes, 0.

REMONSTRANCES.

Of Jesse Ketchum, against opening Peach street. Referred to Committee on Streets.

Of A. C. Moore and others, against constructing a sidewalk on the east side of Louisiana street, between Miami and Sandusky streets. Referred to Committee on Side and Crosswalks.

Of Anthony Stettenbenz, against erecting wooden barn at No. 223 Ellicott street. Referred to Committee on Fire.

Of Wm. Wells and others, against a new pump at corner Michigan and Eagle streets. Referred to Committee on Water.

ACCOUNTS REFERRED.

Valentine Young, for dusters for schools.

Margaret Newman, for cleaning school house No. 3.

Wesley Emmons, for labor, &c., at schools No's 10, 14 and 33. Referred to Committee on Schools.

Fred. Scheifer, for constructing a wood culvert across Locust street, on northerly side of Cherry street. Referred to Committee on Streets.

George Miller, for repairing sewer in Fulton street, 50 feet westerly from Alabama street.

Same, for repairing sewer and receiver at the southwest corner of Niagara and Carolina streets.

Jacob Williams, for same, at north west corner of North Division and Jefferson streets.

John Wannop, for same, at south east corner of Church street and the Terrace.

Same, for reconstructing same, at south east corner of Hickory and Cherry streets.

Churchyard and Benzinger, for digging test pits for sewer in Batavia street, between Emslie and Jefferson streets. Referred to Committee on Sewers.

Isaac Holloway, for constructing crosswalk across Court street, on westerly side of Pearl street.

Same, for constructing stone sidewalk on southeasterly side of Virginia street, at Niagara street.

Same, for repairing crosswalk across Niagara Square, on the southwesterly side of Niagara street.

Fred. Scheifer, for repairing crosswalk across Goodell street, on the North side of Cherry street.

Same, for same, across Locust street, on the northerly side of Cherry street.

Same, for same, across Pratt street, on the westerly side of William street.

Same, for same, across Spring street, on the north side of Clinton street.

Same, for same, across Burton alley, on the east side of Weavers alley.

W. I. Williams, for same, across Fifth street, on the southeasterly side of Virginia street.

Same, for same, across North Washington street, on the northwesterly side of Ferry street.

L. Williams, for repairing sidewalk on easterly side of Jefferson street, between North Division and Eagle streets. Referred to Committee on Side and Crosswalks.

W. H. H. Newman, for sundries for Fire Department.

Clapp, Mathews & Waite, for blank book for Fire Marshall. Referred to Committee on Fire.

Harriet Atwood, for cleaning City Offices.

Farnham & Hodge, for coal for City Buildings.

Charles Pickering, for services in City Clerk's Office.—Referred to Committee on Claims.

E. & B. Holmes, for sundries for Police Station No. 2.

Adam Jones, for commitments to Penitentiary. Referred to Committee on Police.

Isaac Holloway, for repairing floor in Washington Market. Referred to Committee on Markets.

Potter & Prince, for removing obstructions from Harbor. Referred to Committee on Wharves, Harbors and Ferries.

W. I. Williams, for repairing fence around Johnson Park. Referred to Committee on Public Grounds.

Buffalo Gas Light Company, for Gas for Public Lamps for May 1861.

James G. Turner, for Lighting Public Lamps for May 1861. Referred to Committee on Public Lamps.

William Jacobs, for reconstructing stone culvert across Steele street, in the easterly side of Main street. Referred to Committee on New Territory.

REPORTS OF COMMITTEES.

Ald. Howard, from the Committee on Finance, by the direction of a majority of said Committee, reported in favor of granting the prayer of the petition of John Stumpf, asking to have a tax on his lot on west side of Hickory street, south corner of Pratt street, for sewer in Genesee and other streets, remitted, and submitted the following resolution:

Resolved, That the Comptroller be and he is hereby directed to remit from lot on west side of Hickory street, south corner of Cherry street, 100 feet by 66 feet, the assessment for sewer in Genesee street, from the center of Pratt street to the center of Hickory street, and in Hickory street to the center of Goodell street, and thence in Goodell to the center of Mulberry street, and to cancel the sale of said lot for the non-payment of said tax, made to the city, August 23d, 1855, for $143 66.

Ald. Howard, from the minority of the said Committee, reported against granting the said petition of John Stumpf, and submitted the following resolution:

Resolved, That the Council have no legal power to grant the relief asked for in the petition of John Stumpf, and that it be denied.

Ald. Howard moved the adoption of the minority report.

Ald. Swartz moved to so amend the motion of Ald. Howard that it read, that the majority report be adopted. Carried. Ayes, 9; Noes, 5.

The motion of Ald. Howard as so amended was then carried.

Ald. Howard, from the Committee on Finance, also reported in favor of the adoption of the following resolutions:

That the prayer of the petition of Thomas Edmunds, asking to have certain moneys paid to him be denied.

That upon filing with the Comptroller the petition of Thomas Edmunds, and the proof accompanying the same, and also a certified copy of the last will and testament of Bridget Murray, deceased, and upon the execution by, or on behalf of Peter Bede, sole executor of such last will and testament, a bond, in the penalty of double the amount of money named, with satisfactory surety, hereinafter conditioned to protect and indemnify the city against all claim to the moneys herein referred to, by any and all other party or parties, and all costs by reason of such claim, the Comptroller be, and he is hereby authorized to pay to said Peter Bede, executor, the sum of $80 90, paid to the City Treasurer, to redeem from the tax sale of Feb. 24, 1846, a lot of land, on the northerly side of Rock street, commencing 192½ feet east of Evans street, being 20 feet front by 75 feet deep, and that an order be drawn on the proper fund therefor. Adopted.

That the City Assessors are hereby directed to include in their estimate of the expense of publishing notices relating to assessments under §20, of title 8 of the City Charter, the expense of notices to be served by the Receiver of Taxes on parties having unpaid taxes in his office, and the notices of the Board of Assessors to the owners or registered agents of property assessed by them, and add such estimated amounts to the assessments ordered by the Council, and assess the whole amount on the property benefitted. Adopted.

That the City Assessors and Receiver of Taxes at the first meeting of the Council in each month furnish to the Council an estimate of the amount necessary to pay postage on notices served through the mail on tax-payers from their respective offices for the current month in advance, according to section 5 of Chapter 21, of the city ordinances, and also a verified statement of the amount paid in their respective offices for the same purpose for the preceding month. Adopted.

That upon filing with the Comptroller the petition of Emily White, together with the papers accompanying the same, in which said White asks for a declaration of sale on tax certificate, No. 2504, of the sale of June 23d, 1858, of lot on the northeasterly side of the Erie canal, part of block No. 25, lying 146 feet southeasterly of Carolina street, being 25 feet front by 100 feet deep, the said Comptroller execute and deliver to said White a declaration of sale thereon in the form prescribed by the Charter.—Adopted.

Ald. Wheeler from the Committee on Schools, reported in favor of allowing the following accounts and of drawing orders for same, viz:

Valentine Bibus, for sawing wood for Schools.....	$14 50
E. A. Austin, for sundries for District No. 21.....	1 03
N. B. Barker, for cleaning School House No. 7.....	10 00
N. G. Benedict, Jr., for cleaning School House No. 2,	4 50
Esther E. Carr, for cleaning School House No. 23,..	50

Adopted.

Ald. Yaw, from the Committee on Streets, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause Jefferson Street to be repaired between South Division and Clinton streets, at an expense not to exceed $15, and report. Adopted.

That the Street Commissioner cause a wood culvert to be constructed across Fulton street, on the easterly side of Alabama street, at an expense not to exceed $8, and report. Adopted.

That the owners of the land or premises fronting on easterly side of Main street, between the cross walk in front of the main entrance to the American Hotel and the northerly line of Eagle street, be and they are hereby authorized and directed to repair the easterly side of Main street, and raise the gutter so that the water will pass off in front of their respective lots, provided they do the same under the direction of the Street Commissioner and within ten days, and at the expiration of said ten days the Street Commissioner report such portions of said work that remains undone, as above decided. Adopted.

That Franklin street be graded and worked from Chippewa street to Tupper street, at an expense not to exceed seventy-five dollars, and that the Street Commissioner is hereby directed to cause the same to be done and report the expense. Adopted.

Also, in favor of allowing the following accounts and of drawing orders for same:

John Fisher, for cleaning streets in front of Public Grounds and areas during April, 1861—$10 69.

Philip Shan, for same—$9 38.

Barnhardt Henry, for same—$8 07.

George Fisher, for same—$9 57.

Isaac Holloway, for grading and paving Tracy street, from the westerly curb line of Delaware street to Carolina street, balance on contract—$381 25.

O. Butler, Jr., for repairing the easterly side of Pearl street, between Cazenovia, Terrace and Seneca streets—$8 18.

W. I. Williams, for repairing bridge over Erie Slip on River street—$2 60.

Same, for repairing bridge over Prime Slip on Canal street—$2 01. Adopted.

Also, in favor of directing the City Assessors to make assessments as follows:

Assess $7 90, for repairing a wood culvert across Twelfth street, on the southeasterly side of Vermont street. Adopted.

Assess $7 68, for repairing a wood culvert across Eleventh street, on the southeasterly side of Vermont street. Adopted.

Assess $8, for repairing a wood culvert across Edward street, on the southerly side of Virginia street. Adopted.

Assess $5, for repairing a wood culvert across William street, between Lockwood and Emslie streets. Adopted.

Ald. Brush, from the Committee on Sewers, reported in favor of the adoption of the following resolutions:

That the Street Commissioners cause the sewer in Hudson street, between the Erie Canal and Fifth street, to be repaired, at an expense not exceeding $15 00, and report. Adopted.

That the Street Commissioner cause the sewer to the receiver in front of Washington Market, between Chippawa and Tupper streets, on easterly side of Washington street, to be repaired, at an expense not exceeding $12, and report. Adopted.

Also in favor of directing the City Assessors to make Assessments as follows:

Assess $16 32 for re-constructing a sewer and receiver at the north-east corner of Batavia and Spring streets. Adopted.

Assess $12 94 for repairing sewer and receiver at north-west corner of Batavia and Spring streets. Adopted.

Assess $11 47 for repairing sewer in the west side of Elm street, at the crossing of North Division st. Adopted.

Also in favor of allowing the following accounts, and of drawing orders for the same:

Henry Harter, Jr., for repairing sewer and receiver at the north-east corner of Fifth and Pennsylvania Sts.—$9 45.

John Wannop, for repairing sewer and receiver at north-west corner of Clinton and Elm Streets—$5 68.

Same, for same, at north-west corner of Ohio and Moore streets—$4 28.

Same, for same, at south-west corner of Clinton and Elm streets—$1 97.

O. Butler, Jr., for same at north-east corner of Jefferson and William streets—$6 87.

Same, for same at north-west corner of Chicago and Folsom streets—$7 87. Adopted.

Also in favor of the adoption of the following resolution:

That permission be, and is hereby granted to Stephen Hebron, to construct a sewer, in the east side of Pine street, from the lot owned by said Hebron, on the east side of said Pine street, commencing 90 feet south of South Division street, to and to connect with the sewer in Swan street, provided said Hebron will construct the same, under the direction of the Street Commissioner, and at his own expense. Adopted.

Ald. Swartz, from the Committee on Side and Crosswalks reported in favor of the adoption of the following resolutions:

That the owners of land, on the northerly side of Genesee street, between Oak and Elm street, cause a sidewalk to be repaired in front of their respective lots, by substituting new hemlock plank, three inches thick where necessary, and also lower the curbing where necessary, within ten days, and if not done within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $20, and report. Adopted.

That the Street Commissioner cause the plank crosswalk across Grosvenor street, on the northerly side of South Division street, to be repaired, at an expense not exceeding $8, and report. Adopted.

That the owners of the land, on the northerly side of Perry street, between the market ground and the New York Central Railroad track, cause a sidewalk to be repaired in front of their respective lots, four feet wide, by substituting good new hemlock plank, three inches thick where necessary, and if not done within ten days that the Street Commissioner cause the same to be done at an expense not exceeding $10, and report. Adopted.

That the owners of land on the westerly side of Oak street, between the southerly side of Virginia street (so called) and Carlton street, cause a sidewalk to be constructed in front of their respective lots, 4 feet wide, of good hemlock plank 3 inches thick, within ten days, and if not done within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $100, and report. Adopted.

That the owners of land on the southerly side of Genesee street, between Cane and Davis street, cause a sidewalk to be repaired in front of their respective lots, 4 feet wide, by substituting good new hemlock plack 3 inches think where necessary, within ten days, and if not done in that time that the Street Commissioner cause the same to be done at an expense not exceeding $60, and report. Adopted.

That the owners of land on the east side of Michigan street, between Carroll and Exchange streets, cause a side walk to be repaired in front of their respective lots, 4 feet wide by substituting good new hemlock plank 3 inches thick where necessary, within ten days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $10, and report. Adopted.

That the owners of the land on the south westerly side of Palmer street, between Virginia street and a point 150 feet south easterly therefrom, cause a sidewalk to be repaired in front of their respective lots, 4 feet wide, by substituting good hemlock plank 3 inches thick where necessary, within ten days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $10, and report.

Ald. Howard moved to amend the said resolution, so that the owners be directed to do the work within ten days after notice from the Street Commissioner to do the same. Carried.

And the resolution as amended was adopted.

That the owners of land on the west side of Michigan street, between Genesee and Sycamore streets, cause a sidewalk to be repaired in front of their respective lots, by substituting good new brick or hemlock plank where necessary, within ten days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $25, and report.—Adopted.

That the owners of the land on the westerly side of Hamburgh street, between Fulton and Perry streets, cause a sidewalk to be repaired in front of their respective lots, four feet wide, by substituting good new hemlock plank, three inches thick, where necessary, within ten days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $10, and report. Adopted.

That the owners of land on the northerly side of Clinton street, betweeen Cedar and East Bennett streets, cause a sidewalk to be repaired in front of their respective lots, by raising the same up to grade, and substituting new materials where necessary, within ten days, and if not done in that time that the Street Commissioner cause the same to be done at an expense not exceeding $10, and report. Adopted.

That the owners of the land on the northerly side of Ohio street, between Indiana and Illinois street, cause a sidewalk to to be repaired in front of their respective lots, by substituting new brick and stone where necessary, within ten days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $10, and report. Adopted.

That the owners of the land on the northwesterly side of Maryland street between Sixth and Seventh streets, cause a sidewalk to be repaired in front of their respective lots 4 feet wide, by substituting good new hemlock plank 3 inches thick where necessary, within 10 days, and if not done in that time, that the Street Commissioner cause the same to be done at an expense not exceeding $30, and report. Adopted.

That the owners of land on the northerly side of Fulton street between Alabama and Hamburgh streets, cause a sidewalk to be repaired in front of their respective lots 4 feet wide by substituting good new hemlock plank 3 inches thick, where necessary, within 10 days, and if not done within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $40, and report. Adopted.

That the owners of land on the southerly side of Eagle street between Main and Washington streets, cause a sidewalk to be repaired in front of their respective lots by raising the stone flagging to grade, where necessary, within 10 days, and if not done within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $15, and report. Adopted.

That the Street Commissioner cause the plank crosswalk across Fulton street, on the westerly side of Hamburgh street, to be repaired at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause the crosswalk across Cherry street, on the northerly side of Goodell street, to be repaired at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause a crosswalk across Tupper street, on the northwesterly side of Carolina street, to be constructed at an expense not exceeding $10, and report. Adopted.

That the owners of the land on the southerly side of Genesee street, between Mortimer and Jefferson streets, cause a sidewalk to be repaired in front of their respective lots, by substituting new hemlock plank, 3 inches thick, where necessary, within ten days, and if not done in that time, that the Street Commissioner cause the same to be done at an expense not exceeding $100, and report. Adopted.

That the owners of land on the westerly side of Boston alley, between Goodell street and Burton alley, cause a sidewalk to be repaired in front of their respective lots, 3 feet wide, by substituting new hemlock plank, 3 inches thick, where necessary, within 10 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $30, and report. Adopted.

That the owners of the land on the south-east side of Genesee street, between a point 250 feet north-easterly from Herman street and a point 150 feet north-easterly therefrom, cause a sidewalk to be repaired in front of their respective lots, by substituting new hemlock plank, 3 inches thick, where necessary, within 10 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $25, and report. Adopted.

That the Street Commissioner cause the plank crosswalk across Fulton street, on the easterly side of Alabama street, to be repaired at an expense not exceeding $5, and report. Adopted.

That the owners of the land on the southerly side of Edward street, between Delaware and Virginia streets, cause a sidewalk to be repaired in front of their respective lots, 4 feet wide, by substituting new hemlock plank, 3 inches thick, where necessary, within 10 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $120, and report. Adopted.

That the owners of the land on the easterly side of Norton street, between Water and Peacock streets, cause a sidewalk to be repaired in front of their respective lots, by substituting new hemlock plank, 3 inches thick,

and resetting the curbing where necessary, within ten days, and if not done within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $75, and report. Adopted.

That the owners of land, on the westerly side of Norton street, between Water and Peacock streets, cause a sidewalk to be repaired in front of their respective lots, by substituting new hemlock plank, 3 inches thick, and resetting the curbing where necessary, within ten days,and if not done within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $50, and report. Adopted.

Also, in favor of directing the Assessors to make assessments, as follows:

Assess $24 44 for repairing plank sidewalk, on the westerly side of Main street, between Allen and North streets. Adopted.

Assess $15 for repairing the plank sidewalk, on the westerly side of Walnut street, between Eagle and Clinton streets. Adopted.

Assess $8 12 for repairing the plank sidewalk on the southwest side of Seventh street, from a point 150 feet southerly from Maryland street to a point 50 feet southerly therefrom. Adopted.

Assess $8 16 for constructing a plank crosswalk across Fulton street, on the west side of Alabama street. Adopted.

Assess $7 68 for constructing a plank crosswalk across Allen street, on the westerly side of Delaware street. Adopted.

Ald. Yaw, from the Committee on fire, reported in favor of allowing the following accounts and of drawing orders for same:

James A. McWhorter, for services as engineer of steamer Wells—$4 50.

Fred'k Sourwine, for labor for Fire Department—$16.

Wm. I. Williams, for repairing steamer City of Buffalo's house—52 50.

Same, for repairing Hook and Ladder No. 2 house—$7 25.

William Menssh, for wood for Fire Department, charged at $19 38 allowed at $18 50.

Hersee & Timmerman, for sundries for Fire Department—$11.

A. McDonald, for 1 horse—$130.

Oscar Neff, for wood—$8 75. Adopted.

Also, in favor of the adoption of the following resolutions:

That permission be and is hereby granted to Peter Sonnick to remove a wooden building from Michigan street, between Tupper and Goodell streets, to the south side of Genesee street, between Ash and Michigan streets, the same to be done under the direction of the Fire Marshal, and subject to the further order of this Council. Adopted. Ayes 20, noes 0.

That permission be and is hereby granted to J. C. Clifford and O. P. Ramsdell to erect a frame building one and one-half storys high, and 25 by 40 feet, on lot on Erie Canal, west side, 325 feet north of Genesee street, under the direction of the Fire Marshal, and subject to the further order of this Council. Adopted. Ayes 20, noes 0.

That the account of Jacob H. Koons for damages done to his store, No. 411 Main street, by firemen on the night of the 30th of March last, be disallowed, and that said Koons have leave to withdraw his account. Adopted.

That permission be and is hereby granted to Louis Otto and others, for the construction of a wooden building one story high, and 20 by 22 feet, in rear of building situated on the south side of Exchange street, about 80 feet east of the southeast corner of Chicago and Exchange streets; such addition to be provided with suitable chimneys, and be built under the direction of the Fire Marshal and subject to the further order of the Council. Adopted. Ayes 20, noes 0.

That permission be and is hereby granted to the Buffalo Agricultural Works, to erect a wooden shed (for temporary purposes) adjoining premises No. 20 Pearl street, such shed to be 16 by 20 feet, and 12 feet high, under the direction of the Fire Marshal, and subject to the further order of the Council. Adopted. Ayes, 20; Noes, 0.

Ald. Storck, from the Committee on Police, reported in favor of allowing the following accounts, and of drawing orders for the same, viz:

John O. Hopkins, for commitments to Penitentiary—$14 63.

D. S. Reynolds, for same—$12 75.

J. Van Valkenburgh, for same—$9 37. Adopted.

Ald. Savage, from the Committee on Sanitary Measures, reported in favor of allowing the following accounts, and of drawing orders for the same:

Wm. Miller, for keeping Pest House—$60.

John Elliott, for amount paid for conveying patients to Pest House—$3.

F. Schickendantz, for keeping Pest House in January—$9.

C. S. Macomber, for amount paid for postage for Board of Health—$3 30. Adopted.

Also, in favor of the adoption of the following resolutions:

That the City Surveyor be directed to report at the next meeting of the Council, what measures are necessary to properly abate the nuisance of standing water in cellers of buildings on the north side of Delaware place, between Delaware and Virginia streets, also the nuisance in Wilkeson Slip, caused by the filling up with the filth from the Sewer in Jackson street. Adopted.

That William Miller be allowed $4 per week for keeping the Pest House open and in good order and furnishing all supplies for the same, except fuel, medicines and stimulants for the patients, and

That he be allowed in addition thereto, for each patient in the Pest House, for boarding, nursing and washing at the rate of $3 per week, for all patients therein, not exceeding five at any one time, and for all over that number at the rate of $2 50 per week.

This arrangement to continue during the pleasure of the Board of Health. Adopted.

That the ground fronting on the northerly side of Virginia street, being 67 feet front by 91½ feet deep, and commencing 100 feet east from Ninth street, is hereby declared to be unwholesome by reason of stagnant water standing thereon,, and it is hereby ordered and determined that the owner or owners of said ground abate such nuisance by draining or filling so that the said lot shall not be unwholesome; and in case it is not done within ten days after notice published in the city paper to do the same, then the Street Commissioner is hereby directed im-

mediately to cause the same to be done, and report. Adopted. Ayes 20, noes 0.

That the ground fronting on the easterly side of Jackson street, being 20 feet front, by 100 feet deep, and commencing 120 feet North from Genesee street, is hereby deelared to be unwholesome, by reason of standing water thereon, and it is hereby ordered and determined, that the owner or owners of said ground abate such nuisance, by draining or filling said lot, so that the said lot shall not be unwholesome; and in case the same is not done within ten (10) days after notice published in the City Paper to do the same, then the Street Commissioner is hereby directed immediately to cause the same to be done, and report. Adopted: Ayes, 20; Noes, 0.

Resolved, That the ground fronting on Court street, 86 feet front by 90 feet deep, and commencing 157 feet west from Morgan street, is hereby declared to be unwholesome by reason of standing water thereen, and it is hereby ordered and determined that the owner of owners of said ground abate such nuisance by draining or filling, so that the said lot shall not be unwholesome; and in case the same is not done withinten days after notice published in the City Paper to do the same, then the Street Commissioner is hereby directed immediately to cause the same to be done and report. Adopted; Ayes 20, Noes 0.

Ald. Crowder, from the Committee on New Territory, reported in favor of the adoption of the following resolutions:

That the City Surveyor is hereby directed to make a plan and specifications for a suitable bridge of brick or stone over the ravine on Clinton street, between Bond street and the New York Central Railroad, and report. Adopted.

That the Street Commissioner cause the wood culvert across Chenango street, on the northwesterly side of Rhode Island street, to be repaired, at an expense not to exceed $6, and report. Adopted.

That the Street Commissioner cause the wood culvert across York street, on the southerly side of Fourteenth street to be repaired, at an expense not exceeding $8, and report. Adopted.

That the owners of land, on the southeasterly side of Massachusetts street, between Tenth and Eleventh streets, cause a sidewalk to be repaired in front of their respective lots, by substituting good new hemlock plank, 3 inches thick where necessary, within 10 days, and if not done within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $25, and report. Adopted.

That the owners of land, on the easterly side of Ninth street, between York and Jersey streets, cause a sidewalk to be repaired in front of their respective lots, 4 feet wide, 3 inches, by substituting good new hemlock plank where necessary, within 10 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $16, and report. Adopted.

That the Street Commissioner cause the wood culvert across Forest Avenue, about 1,700 feet west from Delaware street to be repaired, at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause Massachusetts street to be repaired, by opening the gutters on both sides of said street, between Tenth and Fourteenth streets, at an expense not exceeding $25, and report. Adopted.

Ald. Allen moved that the regular order of business be suspended. Lost for want of a two-third vote. Ayes 13, noes 6.

Ald. Allen, by unanimous consent, offered the following:

That A. B. Dickinson be and hereby is appointed Harbor Master, pro tem, in the place of Levi Vallier, on the condition that the said Dickinson serve without pay from the city. Adopted.

Ald. Storck moved that the Common Council do now resolve itself into Committee of the Whole, for the purpose of considering the subject of revising the city ordinances. Carried.

Ald. Beckwith was called to the chair.

The Committee of the whole rose, and by their chairman Ald. Beckwith, reported that they had the subject of revising the city ordinances under consideration, had made some progress therein, but not having gone through therewith, asked leave to sit again. Leave granted.

The resolutions remaining on the desk of the Clerk a the adjournment of the Council, were by him referred to their appropriate committees as follows:

That the wood culvert across Goodrich street on the easterly side of Ellicott street be repaired.

That the wood culvert across Allen street, on the easterly side of Delaware street be repaired.

That the wood culvert across York street, on the westerly side of Fourteenth street, be repaired.

That the wood culvert across Fourteenth street, on the southeasterly side of Connecticut street, be repaired.

That Clinton street be repaired between the N. Y. Central Railroad and the B and N. Y. and Erie Railroad. Referred to Commttee on Streets.

That the sewer and receiver at the northwest corner of Batavia and Elm streets be repaired. Referred to Committee on Sewers.

That the Committee on Fire investigate and see if any claim exist against the team lately purchased for the Fire Department. Referred to Committee on Fire.

That a sidewalk be repaired on the north side of Swan street, between Spring and Hickory Streets. Referred to Committee on Side and Cross Walks.

That a well corner of Sixth and Carolina streets be repaired.

That a well on the north-west corner of William and Stanton streets be repaired. Referred to Committee on Water.

That the Committee on Public Lamps locate all the position, &c., of lamps and posts in the extended lamp district, as were ordered on the 8th of April last. Referred to Comm ttee on Public Lamps.

That a stone culvert be constructed across Niagara street, opposite Brace street.

That the wood culvert across Breckenridge street on the easterly side of North Jefferson street be repaired.

That the wood culvert across North Washington street on the south side of Ferry street be repaired.

That a stone culvert be constructed across Niagara street between Sloan street and Clinton street. Referred to Committee on New Territory.

The Common Council adjourned to meet next Monday afternoon, June 3d, 1861, at 2 o'clock.

OTIS F. PRESBREY, City Clerk.

MINUTES No. 21.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, June 3d, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council; and Ald. Adams, Allen, Beckwith, Brush, Crowder, Felton, Goembel, Grass, Hanovan, Howard, Jones, Palmer, Russell, Rutter, Savage, Scheu, Schwartz, Storck, Wheeler, and Yaw.

Absent—Ald. Dorr, Howell, Mills, Pratt, and Walsh.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM THE MAYOR.

GENTLEMEN,—I return, without my approval, a resolution adopted on the 20th inst., directing an order to be drawn in favor of John W. Stewart for $21, to pay "for Sunday service in giving certificates of death."

The objection to the resolution is based upon the following clause of the Charter, Section 8 of Title 3. "The Common Council shall pay, by way of salary or otherwise, the several persons appointed by it, or elected by virtue of this act, to any office or place, a reasonable compensation for their respective services. Such compensation shall be fixed before the election or appointment of any officer, and shall not be changed during his term." Now any additional sum paid to a city officer, no matter for what purpose, is a change in his salary, and consequently a violation of the Charter. The services performed by Mr. Stewart are necessary and must be done, but it is not a new duty or one created after the appointment of the City Clerk, his deputies and clerks, and it is a duty devolving upon the City Clerk to see performed, and it may well be said that he is paid in part for this particular duty in the payment he receives as Clerk to the Board of Health. The resolution provides for an addition to salary, and I believe is in contravention of the Charter.

Your Honorable Body on the 20th inst., adopted a resolution directing the side walk to be repaired "on southerly side of Clinton street, at the south east corner of Clinton and Emslie street." The objection to the resolution is that it does not describe definitely the points between which the improvement is to be made, leaving it in the discretion of the Street Commissioner to determine the extent of the improvement to be made. I return the resotion without approval that it may be properly amended.

I also return without approval a resolution adopted on the 20th inst., directing the Assessors to assess $31, for "repairing Perry street, from Hamburgh street to a point three hundred feet easterly therefrom." The objection to the order is that it exceeds the account audited by the Committee, and is for a greater amount than ordered by your Hon. Body.

On the 12th of March, 1860, the Committee Council declared the office of Constable for the Ninth Ward vacant, and on the same day appointed Henry McLane to fill the vacancy. At the last election Mr. Chester Marvell was elected and afterwards resigned before qualifying. Mr. McLane has continued since last year doing business as Constable and claims it as his right until his successor shall be qualified and enter upon his duties. Mr. McLane has given no bail as is customary, nor is any officer authorized to receive bail from him. To afford the usual protection to the public and prevent any difficulties to questions that might arise from this case I advise that your Hon. Body declare the office vacant, permit it to remain so, or elect some proper person to fill said vacancy.

Respectfully,

F. A. ALBERGER, Mayor.

Filed and subject matter referred to the appropriate Committees.

FURTHER FROM THE MAYOR.

GENTLEMEN: The flag owned by the City, and used on the Liberty Pole, has become so much worn as to be useless. I have ascertained that a flag, equal in size to the present one, can be obtained for fifty-seven dollars. I would recommend that you authorise some one to purchase a flag as soon as possible.

I beg to call the attention of your honorable body to the near approach of the 4th of July, and to advise that you initiate movements to celebrate the day, in a manner worthy of the events which occured on that day, in the year 1776, and which has made its anniversary memorable throughout the world. At no time in the history of our nationality has the importance of a proper remembrance and celebration of the 4th of July, been as manifest as at this time, when "*our lives, our fortunes, and our sacred honor*," are again pledged to sustain the principles *then* enunciated. Let us, who remain at home, while our bretheren are in arms, exhibit at least our devotion to the principles they are so nobly strugling to maintain.

Very Respectfully,

F. A. ALBERGER, Mayor.

Laid on the table temporarily.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

GENTLEMEN: On the 6th ultimo you directed two orders to be drawn in my favor, one for $10 91 on the Ge-

neral Fund 1853 to be deposited to the credit of the fund for sewer and receiver at the northeast corner of Pearl street and the Terrace, and one for $16 05, same, to be deposited to the credit of fund for grading Fifth street, between Pennsylvania and York streets. This should not be, for the reason that these local funds were created under the new charter, the roll for the first named work having been confirmed January 3, 1855, as will be seen by referring to page 7 of Council proceedings of that year, and the roll for last named work was confirmed September 4, 1854, as seen at page 175 of proceedings of that year. I recommend that deficiency assessments be ordered in these cases, and on the confirmation of the same, the orders mentioned be annulled and new orders be drawn respectively for the above amounts on said local funds.

ALONZO TANNER, Comptroller.

Referred to Committee on Finance.

FROM THE STREET COMMISSIONER.

On the 22nd day of April last the undersigned reported to your honorable body that the bridge across the Ravine on Clinton street, between Bond street and the New York Central Railroad, had fallen down, which obstructed the travel at that point, and in pursuance of what I deemed to be my duty I had taken measures to have it repaired, the bridge has been completed at an expense of $49 77, and the undersigned further report that at the time the bridge was distroyed the water washed a considerable portion of the pavement and street away at both ends of the bridge, and it was necessary to have the street repaired without delay, therefore he caused the repair to be made at an expense of $28 15, and the undersigned respectfully ask to have orders passed, authorizing the several works and means provided for paying the expenses.

L. J. WATERS, Street Commissioner.

Referred to Committee on New Territory.

FROM THE CITY SURVEYOR.

In my estimate for grading and paving Franklin street, from the northerly side of Niagara street to the southerly curb line of Chippewa street, at your last meeting I estimated the depth of sand 18 inches, but on examining the petition I find that it asks for only a depth of 12 inches, consequently the excavation amounts to 5 325½ cubit yards, in place of 6 421 cubic yards as reported.

PETER EMSLIE, City Surveyor.

Referred to Committee on Streets.

FURTHER FROM THE CITY SURVEYOR.

In compliance with your order of May 20th, I submit herewith a plan, and the following estimate of the quantities for the construction of a culvert across Clinton St., between Bond street and the New York Central Railroad:

QUANTITIES:

Earth Excavation	Cubic yards	29
Embankment	"	218
Masonry	"	26
Brick	M.	29,040
Paving	Square Feet	588
Curbing	Lineal Feet	28

PETER EMSLIE, City Surveyor.

Referred to Committee on New Territory.

FURTHER FROM THE CITY SURVEYOR.

In compliance with your order of May 20th, I submit herewith a plan, and the following estimate of the quantities for the construction of a wooden bridge across a ravine on Elk street, at a point 286 feet east of Dole street:

QUANTITIES:

White Oak, or Red Beech Timber	Ft. B. M.	3,616
White Pine Timber	"	1,147
Wrought Iron	Lbs.	58

PETER EMSLIE, City Surveyor.

Referred to Committee on New Territory.

FURTHER FROM THE CITY SURVEYOR.

I have examined Delaware Place, with reference to abating the nuisance of standing water in the cellars of the houses, on the northerly side of the street, and find the only feasible plan for accomplishing it, will be to construct a brick sewer, 2 feet in diameter, in the clear, from the present sewer in Virginia street through Delaware Place, to a point 100 feet west of Delaware street.

I have also carefully examined the nuisance in Wilkeson Slip, caused by its filling up with the filth from the sewer in Jackson street, and in order to abate the same, would recommend that the slip be excavated to the same depth as the Erie Canal for its full width, from the Erie Canal to the west side of Jackson street, and that the sides and end of the slip be secured by a suitable docking.

The slip might otherwise be filled up to a proper level, and the sewer extended to a point 50 feet east of Fourth street, provided the owners would consent thereto.

PETER EMSLIE, City Surveyor.

Referred to Committee on Sanitary Measures.

FURTHER FROM THE CITY SURVEYOR.

In compliance with your order of May 20th, the City Surveyor and the Chairman of the Committee on Wharves, Harbors and Ferries advertised in the city paper for proposals for dredging Buffalo Creek outside the North Pier.

Propositions, accompanied by suitable guarantees, were received as follows:

William R. Strong, 12 cents per yard.

Thomas Dunbar, 23 cents per yard.

PETER EMSLIE, City Surveyor.

Referred to Committee on Wharves, Harbors and Ferries.

FROM THE SUPERINTENDENT OF SCHOOLS.

In the pay-roll of the last term of the Public Schools, owing to an error in the report of the Principal, Miss Ellen Maria Wirt received one weeks pay less than she was entitled to. An order is due her for four dollars and forty four cents ($4 44), being one weeks salary at $200 per annum. I recommend that an order be drawn, in my favor, for that amount.

SANFORD B. HUNT,
Superintendent of Schools.

Filed and order directed to be drawn.

FURTHER FROM THE SUPERINTENDENT OF SCHOOLS.

I have complied with your order to provide plans for a Primary School building in District No. 15, but the estimates are not yet completed. I suggest that the subject be referred to the School Committee, to report, and I will be prepared to lay all the details before them at their next meeting.

SANFORD B. HUNT.
Superintendent of Schools.

Referred to the Committee on Schools.

FROM THE CITY ASSESSORS.

The Undersigned, the Board of Assessor's, respectfully represent that they have purchased 1,000 postage stamps for which they paid the sum of ten dollars, that they will require for the month of June about (300) three hundred stamps.

They therefore respectfully ask your honorable body to direct an order to be drawn in favor of the Assessor's for thirteen dollars.

The Board of Assessors would also represent that a sum *not less* than two hundred dollars, will be required for paying extra clerk hire for the month of June, such extra services being necessary to copy the general tax Assessment rolls, for 1861, and ask your honorable body to make an appropriation for that amount and for that purpose.

LORENZ GILLIG,
JOB GORTON,
FAYETTE RUMSEY, } Assessors.

Ald. Howard moved that said communication be received and placed on file, and that an order be drawn as recommended therein, and that the City Assessors be authorized to employ extra help in their office for the purpose of copying the General City Tax Rolls, at an expense not to exceed in the aggregate the sum of $200. Carried.

FROM THE RECEIVER OF TAXES.

Agreeable to a resolution of your honorable body adopted May 27, 1861. I estimate the amount needed for postage for the current month of June at ten dollars—no provision, however, has been made by your honorable body to pay the postage on the rolls received in this office in May, which notices number fifty-nine.

Respectfully,
M. WIEDRICH, Receiver of Taxes.

Referred to Committee on Finance.

The City Treasurer reported the amounts due the employees in his office for services in the month of May.—Filed and orders directed to be drawn.

The Fire Marshal reported the amounts due the several persons employed for the Fire Department for the month of May. Filed and orders directed to be drawn.

The City Clerk reported that the following accounts had been presented to the Board of Health, and by them audited and referred to the Council, that provision be made for their payment:

George J. Rheinhardt, services as Health Inspector for May—$46 50.

John Elliott, for like services—$46 50.

Geo. J. Rheinhardt, paid for taking case of Small Pox to Pest House, by order of Board—$1 50.

Wm. Miller, for services as keeper of Pest House, keeping patients, and sundries furnished, certified by the Health Physician—$44 62.

Orders directed to be drawn in favor of Geo. J. Rheinhardt and John Elliott, for services as Health Inspectors, and balance referred to Committee on Sanitary Measures.

Also reported that at a meeting of said Board a nuisance was reported as existing on lands northerly of North street, and easterly of Delaware street, caused by the want of proper sewerage to carry off the surface water, rendering the region unhealthy, and the Board recommend that the Council refer this matter to the City Surveyor, and that he be instructed to report to the Council some plan, and the estimated expense of a sewer of sufficient capacity to drain the section above referred to.

Referred to Committee on Sanitary Measures, together with the City Surveyor.

Also, that the Board of Health ask that an order be drawn in favor of the Clerk for fifteen dollars, to defray the expense of transporting small pox patients to the Pest House, with the understanding that the board report to the Council the amounts so paid from time to time for such service. Referred to Committee on Sanitary Measures.

The City Clerk also reported that he had advertised in the official paper, for two weeks, for proposals to lease and maintain a Ferry across Niagara River at Black Rock, and that he had not received any proposals therefor. Referred to Committee on Sanitary Measures.

The City Clerk also reported that the following named assessment rolls had remained on file in his office more than ten days, since the first publication of a notice in the city paper, that the same were so filed, and that persons interested therein might file applications for the correction of the same, and that no such applications had been filed with him, viz:

No.	Amount ordered by Common Council.	Amount added by Assessors.	Total amount of Assessment.
2398—For widening, straightening and enlarging Buffalo Creek at the Toll Bridge on Ohio street, by excavating a channel on the northerly side of said Creek,	5930 00	5 00	5935 00
2399—For the purpose of paying one-half the expense of dredging Buffalo Creek from the west end of the North Pier to the southerly side of South street,	3000 00	5 00	3005 00
2400—For the purpose of paying the just compensation awarded to the owners of the land and property taken to lay out and extend Katharine street, from the southerly termination thereof, as now laid out to a point 551 feet southeasterly from the northerly line of lot No. 192, together with the costs and expenses of ascertainment,	635 00	5 00	640 00
2401—For constructing a sewer and receiver on the easterly side of Niagara street, at the southerly end of the bridge across Scajaquada Creek,	60 00	1 00	61 00
2402—For constructing a sewer and receiver on the westerly side of Niagara street at the southerly end of the bridge across Scajaquada Creek,	60 00	1 00	61 00

2403—For reconstructing the Receiver on the easterly side of Niagara street, near the southerly end of the bridge across Scajaquada Creek,	24 38	62	25 00
2450—For repairing the sidewalk on the easterly side of Elm street between Goodell and and High streets,	71 60	1 40	73 00
2404—For reconstructing the Receiver on the westerly side of Niagara street near the southerly end of the bridge across Scajaquada Creek,	25 37	63	26 00
2406—For repairing the sidewalk on the northerly side of Tupper street between Main and Franklin streets,	20 00	1 00	21 00

The following communication from the City Attorney was presented :

I hereby report that I have examined an abstract of the proceedings of your honorable body in regard to assessment rolls No. 2398 to No. 2406, and am of the opinion that said proceedings have been regular and in accordance with the provisions of the Charter, except as to roll No. 2399, for paying one half of the expense of dredging Buffalo Creek. You have never ordered this work. I think it competent for you to order the work now, and confirm the assessment therefor.

Respectfully submitted,

GEORGE WADSWORTH, City Attorney.

Received and placed on file.

Whereupon, Ald. Adams moved that the said several rolls reported in the foregoing communication from the City Clerk, except rolls Nos. 2398 and 2399 be confirmed. Carried.

Ald. Allen moved that assessment roll No. 2399 be laid upon the table temporarily. Carried.

Ald. Palmer moved that the consideration of roll No. 2398 be postponed for one week. Carried.

The City Clerk reported the amount due the City Scavenger for services for the month of May, and recommended that an order be drawn for same. Filed and order directed to be drawn.

FROM THE CHIEF OF POLICE.

GENTLEMEN—Herewith I present the pay roll of the Captains of Police, Clerk and Policemen, for services in the month of May. Amount $2,190 06.

Also report the amounts due persons employed to clean the several Police Stations—$90.

In my pay roll for the month of April, Peter Carr received $41 66, he should have received $32 85, excess paid him $8 81, which amount I have deducted from his pay for the month of May, leaving a balance due him of $25 13, as therein stated.

Also report that Morris H. Alberger, clerk in my office, and Julius Scheffel, a policeman, have been absent during the whole month of May, as volunteers in the Buffalo Regiment.

I would recommend that orders be drawn in favor of the persons named in said pay roll, and also in favor of the persons employed to clean the police stations.

GEO. DRULLARD, Chief of Police.

Ald. Howard moved that said communication be received and placed on file, that orders be drawn in favor of the several persons named in the pay-roll of the Captains of Police, Clerk and Policemen, and that the subject matter of so much of said communication as relates to amounts due persons employed to clean Police Stations, be referred to the Committee on Police. Carried.

The written resignation of Jonathan Austin of the office of Commissioner of Deeds, was presented. Filed and resignation accepted.

Whereupon, Ald. Yaw moved that Benjamin H. Austin, Jr., be appointed Commissioner of Deeds for the City of Buffalo, to fill the vacancy occasined by the resignation of Jonathan Austin, Carried.

The written resignation of Seth Newman, of the office of Commissioner of Deeds was presented. Filed, and resignation accepted.

Whereupon, Ald. Beckwith offered the following :

Resolved, That Wm. W. Hammond, be, and he is hereby appointed a Commissioner of Deeds for the City of Buffalo, in the place of Seth Newman, resigned. Adopted.

PETITIONS.

Of Emily White, for declaration of sale, on lot on the south side of North Division street, 72 feet east of Cedar street, 42 by 110 feet.

Of same, for declaration of sale, on lot on the southwest side of Fifth street, 58½ feet northwest of Hudson street, 30 by 100 feet.

Of same, for declaration of sale, on lot on the northwest side of Pennsylvania street, 40 feet southwest of Fourteenth street, 40 by 180 feet. Referred to the Committee on Finance.

Of Norman Hagerman and others, for the removal of the Principal Teacher, in Public School No. 5. Referred to Committee on Schools.

Of Henry W. Rogers and others, for a sidewalk on Tracy street.

Of A. P. Yaw, for a sidewalk on east side of Michigan street, between Ohio and Elk streets. Referred to Committee on Side and Crosswalks.

Of James N. Matteson, for license to sell fresh meat, at the corner of Eleventh and Virginia streets. Referred to Committee on License.

Of J. Hebron, to have nuisance abated, on South Division street, 77 feet east of Pine street. Referred to Committee on Sanitary Measures.

Of Thomas Wogan, Jr., for Fireman's Certificate.

Of Samuel Baker, for same.

Of Charles Jessamin, for same.

Of Henry Inman, for same. Referred to Fire Commissioners with power.

Petition of Brunck & Held, to have line and grade established of Alley between Main and Washington streets, northerly of Mohawk street.

Whereupon, Ald. Palmer offered the following resolution :

Resolved, That the City Surveyor be directed to report to this Council at its next meeting, a line and grade of the alley lying between Main and Washington streets, running northerly from Mohawk street. Adopted.

Petition of Mr. Kepp, for permission to move frame dwelling house from North street to Locust street.

Ald. Swartz moved that the prayer of the said petition be granted under the direction of the Street Commis-

sioner and subject to the further order of the Council. Carried. Ayes, 14; Noes, 0.

REMONSTRANCES.

Of W. S. Rice and others, against sewer in Washington street, between High and Carlton streets. Referred to Committee on Sewers.

Of N. H. Barnes and others, against repairing well on Eagle street, between Michigan and Pine streets. Referred to Committee on Water.

ACCOUNTS REFERRED.

Hamlin & Mendsen, for carpet for school house No. 5.

Wm. H. Walker, for sundries for Central School.

George W. Gilman, for white-washing in school No. 26

James O. Brian, for rent of building used by city. Referred to Committee on Schools.

Wm. Farmer, Jr., for repairing wood culverts across Dearborn street, between Farmer and Austin streets.

George Fisher, for cleaning paved streets and alleys, &c., for May.

John Fisher, for same.

John Erb, for same.

Barnhardt Henry, for same.

Philip Shau, for same.

G. Hyatt, for disbursements. Referred to Committee on Streets.

John Wannop, for repairing sewer and receiver at the northwest corner of Perry street and Elk street market.

Same, for same, at northwest corner of Spring and South Division streets.

O. Butler, Jr., for same in front of Washington market on easterly side of Washington street.

Same, for repairing sewer in Georgia street, near the tow path. Referred to Committee on Sewers.

Wm. I. Williams, for repairing sidewalk on southerly side of Green street, between Washington and Michigan streets.

Isaac Holloway, for reconstructing crosswalk across Franklin street, on south side of Church street. Referred to Committee on Side and Crosswalks.

DeForest and Coye, for coal for Fire Department.

Hamlin & Mendsen, for sundries for same.

Henry Knox, for 1 grey horse. Referred to Committee on Fire.

Richard Hextall, for cleaning public well at corner of Niagara and Hudson streets.

John Gisel, for repairing pump at corner of Mortimer and Genesee streets.

Buffalo Water Works Co., for repairing Hydrants.—Referred to Committee on Water.

Elijah Wells, for cleaning city offices.

John Franklin, for whitewashing Treasurer's office.

Hamlin & Mendson, for papering at Mayor's office.

Same, for matts for Treasurer's office. Referred to Committee on Claims.

Hamlin & Mendson, for sundries for Chief of Police.

John Thompson, for washing, &c., for Police Department

Eli Fontaine, for commitments to penitentiary. Referred to Committee on Police.

George Fischer, for working in Johnson Park. Referred to Committee on Public Grounds.

Buffalo Gas Light Co., for gas for public lamps for May. Referred to Committee on Public Lamps.

Wm Farmer, Jr., for constructing cross walk across Forest Avenue, on easterly side of Niagara street.

Same, for repairing wood culvert across Forest avenue, on westerly side of Delaware street.

Alvin Joslyn, for repairing bridge across Cozenovia creek, on the road leading from Aurora Plank Road to Martins Corners. Referred to Committee on New Territory.

Samuel Green, for services as keeper of Prospect Hill Park for May. Referred to Special Committee on Prospect Hill Parks.

ACCOUNTS ALLOWED.

William Menzch, for carting dirt, &c., from paved streets and alleys for May—$266 67.

John Drexler, for services as Street Inspector for month of May—$33 75.

Jacob Sohn, for same—$33 75.

Fred. Schmelzer, for same—33 75.

John B. Sewell, for same—$33 75.

Charles Broshart, for same—33 75.

Ald. Howard moved that the regular order of business be suspended. Carried. Ayes, 18; Noes, 1.

Ald. Storck moved that the Common Council do now resolve itself into the Committee of the Whole for the purpose of the further consideration of the subject matter of revising the city ordinances. Carried.

Ald. Beckwith was called to the Chair.

The Committee of the Whole rose and their Chairman, Ald. Beckwith, presented the following report:

The Committee of the Whole have had under consideration the subject of revising the city ordinances, have gone through with Chapter 3 of such ordinances, and report the same back to the Council as follows, and request that the Committee be granted leave to sit again:

Resolved, That Chapter Third of the Ordinances of the City of Buffalo be, and the same is hereby amended, reordained, and enacted, as follows:

CHAPTER III.

OF MARKETS AND SALE OF MEATS, ETC.

Section 1. It shall not be lawful for any person to sell, or offer or expose for sale, in the City of Buffalo, any fresh meat outside of the public markets, who shall not have obtained a license so to do, under a penalty of twenty-five dollars for each and every offence.

§ 2. It shall be the duty of every person who shall keep fresh meat for sale, to keep the place at which the same shall be exposed for sale, in a clean and orderly condition; and to keep the street adjacent to such place clean and free from all obstructions; and every person offending against the provisions of this section shall forfeit the sum of ten dollars for each and every offence.

§ 3. No licensed butcher or person shall, directly or indirectly, purchase or cause to be purchased, from any person, any fresh meats, except pork in the hog, offered for sale, within the bounds of the city, before nine o'clock in the forenoon, and re sell the same meats, or any part thereof, at wholesale or retail, except such purchases shall be made between the first of May and the first of November, under the penalty of ten dollars for every offence.

§ 4. No fresh meat, except feet, ears, snouts, spare ribs of hogs, (sold by persons being packers,) and except fish, venison and wild game, and pork in the hog, shall be sold or offered for sale, at any place in said

city, except at the market houses, and at such stalls or stands as are or may hereafter be licensed; and beef shall not be cut at the slaughter house of any butcher, in pieces less than quarters; and all other carcasses shall remain whole, after the same shall be dressed, until delivered at the stall or stand of the butcher or other person selling or offering to sell the same. Any person violating either of the provisions in this section contained, shall, for each offence, forfeit the penalty of twenty-five dollars.

§ 5. The clerk of the market shall provide, at the expense of the city, as often as the same may be required, suitable locks and fastenings, for the public markets and have charge of the keys thereof. He shall cause the market to be opened and closed at such hours as the mayor shall from time to time direct, and meats exposed, or intended to be exposed for sale at the stalls, shall be for that purpose delivered, and exhibited therein, as soon as the market is opened, on each day, or within one hour thereafter; but the clerk may, on the application of any butcher or other person, permit meat to be delivered at any other time of the day.

§ 6. Every person who shall sell, or expose for sale, in this city, any unwholesome, stale, emaciated, blown, stuffed, tainted, bruised, putrid or messly meat, poultry or provisions, shall forfeit the penalty of twenty-five dollars for each and every offence; and the meat, poultry or other provision so exposed, shall without delay, upon the view of the clerk of the market, be by him seized and destroyed.

§ 7. No mutton or lamb shall be sold in the said city until that part of the leg directly below the joint of the knee, be taken therefrom; and no butcher, or other person, shall between the first day of May and the first day of November, bring to any public market or place designated for the sale of meat, any untried fat, commonly called gut fat; nor at any time nor season, the head of any sheep or lamb unless the same be skinned and properly cleaned: nor any sheep or lamb, in carcass or otherwise, with a trotter or foot thereon; nor any hides or skins, under a penalty of ten dollars for each and every offence.

§ 8. All meats sold in the city except pigs and lambs, shanks, offals, heads and plucks, shall be previously weighed and sold by the pound, and in case any fraud shall be committed in the weight of any meat or in case any meat shall be sold except as aforesaid, not being weighed, the person selling the same shall forfeit the sum of five dollars for each offence.

§ 9. No person, shall at any time during the hours for the sale of meat, or any other time, employ himself in the pitching of quoits, or playing any kind of game, in or about the market or place designated for the sale of meat, under the penalty of one dollar for each offence; nor use profane or obscene language, or otherwise conduct himself in an indecorous or offensive manner, under a penalty of five dollars for each and every offence.

§ 10. The several clerks of the markets shall receive in lieu of all fees, such compensation as the Common Council shall designate.

§ 11. No butcher or other person shall erect or keep any slaughter house in this city, within the following described limits, viz: All that territory lying and being bounded northerly by York and North streets; easterly by Jefferson to Eagle street; thence bounded northerly by Eagle street to the State Reservation line; thence southeasterly by said Reservation line to Lake Erie; nor shall any person kill or slaughter any beeves, calves, sheep, or other animals within the city, outside the above described limits, unless the house, yard, pen or place, where such killing shall take place, be provided with a tight plank floor, or be paved with brick or stone; if paved with brick or stone, the same shall be laid in water lime cement; said floor to be made sufficiently tight to prevent the earth becoming the receptacle of filth and offensive matter; the floor in every such case shall be made with a descent towards a gutter which shall pass through the same, and leading to a tub or reservoir, which shall be placed to receive the blood and offal passing therein, which shall be emptied at the end of each day when killing has been done on the premises, at such place, so that no offensive effluvia shall arise therefrom; whoever shall violate any of the provisions of this section shall forfeit the penalty of twenty-five dollars.

§ 12. Every slaughter-house shall be whitewashed inside at least once in each month between the first day of April and the first day of November; whoever shall violate the provision of this ordinance shall forfeit the penalty of ten dollars.

§ 13. No butcher, or other person, shall keep any dog or bitch, in or about any of the markets or places designated for the sale of meat, under the penalty of one dollar for each and every offence.

§ 14. No fresh meats shall be exposed for sale, except in such places as shall be designated by the common council, under the penalty of fifty dollars for each and every offence.

§ 15. The stand or place at which the person obtaining a license is to offer meat for sale, shall be specified in the license, and it shall not be lawful for him or his servants to sell or offer meat for sale at any other place under the penalty of fifty dollars for each and every offence.

§ 16. No fresh meat shall be sold or exposed for sale outside of the public markets and within the market districts, as hereinafter described, under the penalty of one hundred dollars for each offence.

§ 17. It shall be the duty of the clerk of the markets from time to time to visit and examine the several places and premises at which fresh meat is authorized to be sold, and to see that all the ordinances relating to the sale of meat are strictly enforced. It shall be the duty of the clerk of the markets to deposit weekly with the City Treasurer any and all moneys collected or received by him for the markets, or for other purposes; and it shall also be the duty of said clerk to report monthly to this Council a statement in detail, showing the amounts received and from whom, and for rents of stalls, and the amount due and owing for stalls in and outside of the market buildings, and from whom; such report to be made out on the first Monday of each month, and the said clerk shall for the purpose of carrying out this ordinance provide a suitable book or journal at the expense of the city, if he has not already one, in which he shall keep a correct account, showing all the debit and credit balances of all persons holding stalls in the public markets and of all persons from whom collections have been made outside the markets and otherwise.

§ 18. The Common Council hereby fix and prescribe the following districts about the several Public Markets

of the city, to be called the Market districts, said districts to be named after each of the Public Markets, and to be bounded and described about each of the said markets by the circumference of a circle, each circle having for its centre, the centre of each of said markets, and each circle having a diameter of 6,000 feet.

No license shall be granted to sell fresh meats in stands, stalls or stores, located in either of the market districts, other than in the public markets. For each license outside of such market districts, and within the old city limits, Fifteen Dollars. For each license within the new city territory, the sum of Nine Dollars.

No fresh meat shall be peddled in the city of Buffalo, as the same existed prior to the first of January, 1854, except beef by the quarter, hogs, calves, sheep and lambs by the carcass, under the penalty of thirty dollars for each offence.

Ten dollars shall be paid for each license to peddle beef by the quarter, hogs, calves, sheep and lambs by the carcass, in that part of the city last mentioned. Licences shall expire on the first day of May in each year, unless sooner revoked by the Council or annulled under the provisions of the Charter. No license shall be granted under the provisions of this ordinance after the first of July in each year.

§ 19. Every person applying for a license shall, before receiving the same, execute to the City a bond, in the penal sum of $100, with one or more sureties, conditioned that he will observe all the ordinances relative to the sale of meat, and pay the fines or penalties for a violation of said ordinances. Any, and all licenses to be granted in pursuance of this chapter, shall be made out and countersigned, as provided by the Charter, and the same shall be delivered to the City Comptroller, and by him delivered to the person entitled to same, on payment to the City Treasurer, of the amount for which the same is granted.

§ 20. Nothing herein contained, except the provisions of sections 6, 28 and 29, shall be construed to prohibit any farmer or other person who shall have actually raised or fattened or owned for at least one year the animal whose carcass he may expose for sale, from selling or offering for sale the same at any place within the bounds of the city, by the carcass or quarters.

§ 21. No person shall bring into the city for the purpose of slaughtering or sale, or place or cause to be placed in or about any market or place designated for the sale of meat, any calf, sheep, lamb, or other animal, with its legs tied, nor shall any person tie such animal in or about any such market or place so designated, under the penalty of five dollars for each and every offence; nor shall any person tie, or cause to be tied, any calf, sheep, lamb or other animal, except horses, to any fence, post, tree or other thing, in or about any market or place designated for the sale of meat, under the penalty of ten dollars for each and every offence.

§ 22. It shall not be lawful for any person to expose for sale any fresh meat, at any place within this city, except at the public markets, and at such other places as the council may appoint, under the penalty of fifty dollars for each and every offence.

§ 23. No butcher or other person licensed to sell fresh meat shall expose for sale any fresh meat on Sunday, within the city, under the penalty of twenty-five dollars for each and every offence.

§ 24. It shall be the duty of the Clerk of the Market to assign and set apart certain portions of the market ground near the public market, for the purpose of exposing for sale and selling garden and farm produce and other products of farms and gardens; and no person shall expose for sale or sell any garden or farm produce or other thing whatsoever in any street in this city, other than in the place or places so assigned and set apart by the said Clerk, under the penalty of ten dollars for every such offence.

§ 25. No person shall sell or expose for sale any poultry, eggs, cheese or butter, or any garden or farm products whatsoever, in any public market in this city, or the market ground or streets contiguous thereto, except the same shall have been raised on the farm of such person, or unless such person shall have been himself or herself into the country beyond the city limits, and there purchased the same from the farmer or gardener who raised the same, or except the same shall have been purchased in the city of Buffalo after nine o'clock in the forenoon, under the penalty of ten dollars for each offence.

§ 26. No provisions, country produce or other article which shall have been sold or bargained for in any manner, before nine o'clock in the forenoon of the day of its arrival in the city of Buffalo, shall be exposed for sale or sold in any of the public markets in said city or the grounds contiguous thereto, under the penalty of ten dollars for each offence.

§ 27. No person shall offer or expose for sale within the limits of the city of Buffalo, any fresh meat, being the carcass or any part of the carcass of any calf, which shall have been less than four weeks old at the time when it was killed, and no person shall offer for sale within the said limits any live calf for slaughter, which shall be less than four weeks old at the time of so offering the same for sale. Any violations of this provision shall be punished by a fine of twenty-five dollars for each and every offence. Any such meat so offered or exposed for sale, shall without delay, upon the view of the Clerk of the Market, be by him seized and destroyed.

§ 28. No grocer or other dealer shall purchase any article subject to sale under this chapter of Ordinances, or any vegetables, provisions or other country produce on the public market ground before 10 o'clock A. M., except for the use of his or her family, and if any such person shall purchase in any public markets prior to 10 o'clock A. M., any such article or articles in which he or she deals it shall be held as *prima facia* evidence of intention to resell the same.

A violation of this ordinance shall subject the offender to a fine of $10 (ten dollars,) for each and every offense.

§ 29. No person shall sell, offer or expose for sale, except for use by Soap or Bone Manufacturers in their business, any bruised or diseased cow, heifer, ox, steer, bullock, hog, sheep, lamb, or calf, which shall have been killed by accident upon the railroad or otherwise, under a penalty of twenty-five dollars for each and every offense.

§30. Upon application to the common council, any person or persons may receive a license to peddle fresh meat and fish within the territory mentioned and specified in sections ten and eleven of title twelve of the charter of

the city of Buffalo, upon the payment of a sum to be fixed by the common council, of not less than ten nor more than twenty-five dollars for such licenses, and executing a bond to the city in a penal sum of one hundred dollars with sufficient sureties, conditioned that the person or persons receiving the same shall observe all the ordinances of the city relative to the sale of meat and fish. But such license shall not authorize such person or persons to sell or peddle meat or fish in any part of the city not included in the territory above specified.

§31. No person shall sell or expose for sale in the said city the carcass of any turkey or turkeys, chicken or chickens, duck or ducks, goose or geese, until the entrails, crops, and heads are taken therefrom, under a penalty of ten dollars for each and every offence.

§ 32. No person shall sell within the city of Buffalo or expose for sale, any wilted, stale, decayed, rotten, fermented or unwholesome vegetables, fruit, garden or farm produce of any kind, under a penalty of ten dollars for each and every offence.

§ 33. It shall be the duty of any member of the Board of Health to order the person or persons in whose charge or custody any of the articles mentioned in the preceding section shall be found, to cause the same to be removed and destroyed; and any persons, who shall after being so notified by such commissioner, refuse to obey such order, or who shall sell or expose for sale such articles, shall forfeit and pay the sum of fifty dollars for each and every offence.

§ 34. Penalties incurred for the violation of any of the provisions of this chapter, may be sued for in the name of the City of Buffalo, and recovered with costs before any Justice of the Peace in and for said city.

Ald. Felton moved that said report be accepted, and that same be printed and laid upon the table, to be taken up at the next regular meeting of the Council, under order of reports from the Committee on Markets, and that the committee have leave to sit again. Carried.

Ald. Beckwith moved that the City Clerk be directed to grant a permit to Thomas Murray, to erect a wooden building, 22 by 16 feet, and two stories high, on corner of Carolina and Ninth streets, under the direction of the Fire Marshal, and subject to the further order of this Council. Carried unanimously.

Ald. Adams moved that when this Council adjourns, it adjourn to meet at half past 7 o'clock this evening. Lost. Ayes, 9; Nots, 11.

Ald. Howard moved that the communication from His Honor the Mayor, in relation to the condition of the flag owned by the City, and in relation to the celebration of the Fourth of July, presented to this Council at this meeting, be now taken up. Carried.

Ald. Howard moved that said communication be received and placed on file, and that the Chief of Police be authorized to purchase a new flag, &c., for the Liberty Pole on the Terrace, at an expense not to exceed $57. Carried.

Ald. Howard then moved that a committee of three aldermen be appointed by the chair, on the subject of the celebration of the Fourth of July, and that His Honor the Mayor, and the President of the Council, be associated with such Committee. Carried.

Ald. Howard rose and stated that he was unable to give the time to the business of such a committee, and desired the chair not to appoint him as a member thereof.

The chair appointed Alds. Adams, Felton, and Yaw, as such committee.

Ald. Felton moved that when this Council adjourns, it adjourn to meet at one minute past 7 o'clock this evening. Carried.

The Common Council then adjourned, to meet at one minute past 7 o'clock this evening.

O. F. PRESBREY, City Clerk.

IN COMMON COUNCIL,
Buffalo, Monday, June 3d, 1861,
At one minute past 7 o'clock P. M.

Present—Asaph S. Bemis, President of the Council, and Aldermen Adams, Allen, Beckwith, Brush, Crowder, Felton, Goembel, Grass, Hanovan, Howard, Jones, Palmer, Russell, Rutter, Schwartz, Storck, Wheeler and Yaw.

Absent—Alds. Dorr, Howell, Mills, Pratt, Savage, Scheu, and Walsh.

The reading of the minutes of the last meeting was dispensed with.

Ald. Felton rose and addressed the Council as follows:

MR. PRESIDENT:—It becomes a duty to announce to this Council the death of one of the greatest of American statesmen.

A telegram, received this morning, has already announced to the people of this country the death of the Honorable Stephen A. Douglas, a Senator of the United States from the State of Illinois.

Born in the year 1813—shortly after the burning of Washington by the British—of revolutionary ancestry; educated solely through the energy of his own hand; migrating to the then distant West; he was placed in the position of States-Attorney of Illinois at the age of 22 years, and continued to hold offices of trust from the government or the people up to the day of his death; most of the time in the Congress or Senate Chamber of the United States.

Lately, an unsuccessful candidate for the Presidency of the country, he proved the first to offer his hand to his successful competitor, and uttered the first note of warning against the action of traitors.

After extending and upholding the olive branch of peace "until there was no peace," he said "I deprecate war; but, if it must come, I am with my country, and for my country, under all circumstances, and in every contingency;" and from that moment the government has had no firmer supporter, among political friends or foes; and it has looked forward to his help with greater anxiety than to the help of any other statesman.

The loss is not to the government only; it extends to the people; and to-day the whole Union-loving people of the whole country are mourning that loss. While vacating, forever, by the hand of God! the Senate Chamber of the nation, his memory and his good deeds will live ever in the history of the patriots of the present epoch of our country.

Ald. Felton then offered the following—

WHEREAS, It has pleased Almighty God to take from this nation, in this, its greatest hour of peril, a Statesman whose name and public services have been watched as a beacon-light of hope, by all faithful pilots of this free and once happy and united people; therefore

Resolved, That this Council has learned with the deepest sensibility and most sincere regret, of the death of the Hon. STEPHEN A. DOUGLAS, a Senator of the United States from the State of Illinois.

Resolved, That, as a mark of respect for the memory of the deceased, this Council hereby direct that this chamber be properly clothed with the usual emblem of mourning for thirty days; and that the flags on each of the public buildings be lowered at half-mast.

Resolved, As a further mark of respect, this Council do now adjourn.

Resolved, That the Mayor of the city be directed to forward to the family of the deceased a copy of these resolutions. Adopted unanimously.

The Common Council then adjourned to meet next Monday afternoon, June 10, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 22.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, June 10th, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council and Ald. Adams, Allen, Brush, Crowder, Felton, Jones, Rutter, Schwartz, Wheeler and Yaw.

Absent—Ald. Beckwith, Dorr, Goembel, Grass, Hanovan, Howard, Howell, Mills, Palmer, Pratt, Russell, Savage, Scheu, Storck, and Walsh.

A quorem not being present at half past two o'clock; P. M., the President declared the Common Council adjourned, to meet next Monday afternoon, June 17th 1861, at two o'clock.

O. F. PRESBREY, City Clerk.

SPECIAL MEETING.

IN COMMON COUNCIL,
Buffalo, Wednesday, June 12, 1861,
At 2 o'clock P. M.

Present—Aldermen Adams, Allen, Beckwith, Brush, Crowder, Felton, Goembel, Grass, Hanovan, Jones, Mills, Palmer, Rutter, Savage, Scheu, Schwartz, Storck, Wheeler and Yaw.

Absent—Aldermen Bemis, Dorr, Howard, Howell, Mills, Pratt, Russell, and Walsh.

In the absence of the President Ald. Felton was called to the Chair.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM THE MAYOR.

MAYOR'S OFFICE,
BUFFALO, June 12, 1861.

GENTLEMEN,—At the request of a large number of your honorable body, I have called a special meeting, this day, for the purpose of transacting such business as may come before you.

Respectfully,
F. A. ALBERGER, Mayor.

Received and placed on file.

FURTHER FROM THE MAYOR.

MAYOR'S OFFICE,
Buffalo, June 8th, 1861.

GENTLEMEN:—On the 20th ult., your honorable body directed an order to be drawn on the School Fund of 1861, in favor of Clapp, Mathews and Waite for $205, to pay for printing the report of the Superintendent of Schools for the year 1860. On presentation of the transcript of money orders directed to be drawn at the session of the 20th ult., I disapproved the above order on the transcript, and herewith present my reasons for so doing.

The account presented and allowed by your honorable body bears upon it the following endorsement made by the Auditor, "This bill is correct if allowed at the contract price of 1860, but if that of 1861, is to apply the amount should be $143 50, only." If the work done is a part of the printing of the year 1860, it should be paid for from the fund of 1860, and therefore the order in that respect would be inproperly drawn, it being directed to be drawn on the fund of 1861. If the printing is to be paid for from the fund of 1861, it should be allowed in accordance with the contract price of the present year.

Much difficulty had occurred in relation to city printing, until in 1857, when the Legislature of this State prescribed the manner in which contracts for that purpose should be made, and among other rules determined that the city should invite proposals "for all printing to be done for said city for one year," "which contract shall continue in force for one year from the first of January thereafter." Now in would seen impossible at the close of the year 1859 when the contract was made for the printing of 1860, to bind the city to have done the entire printing for the year 1860, and such other printing that would be required in the year 1861, and which directly or indirectly grow out of the proceedings of the year 1860.

The school year financially commences on the first of January, and the reports of the Superintendents have embraced the operations of the schools for a year beginning on that day. It would seem improper and impossible to order the report of the year printed until the year had expired, and the report submitted to the Common Council. Such evidently is intended by the Charter which reads, "The Common Council shall annually publish a statement of the number of public schools in the said city, the number of pupils instructed therein, the year preceeding."

Now if the doctrine prevails that the contractors are entitled to all the printing that may have reference to the year they have contracted for, no matter when ordered to be done by the Council, the city would be liable to them, if it should at any time thereafter fail to give them such work it may see fit to order, and that the Council of that particular year had neglected or declined to have had done.

But would not the then contractor, who had entered into an agreement with the City, as directed by the City Charter, to do "all printing to be done for said City for

one year," have a claim thereto, and one that could not be evaded, because no liability can accrue against the City for printing, until its Council shall have ordered printing to be done.

In my opinion the contractors are entitled to all the printing the Common Council may order to be done, in the year their contract is made for, and no other.

I return, without approval, a resolution adopted on the 27th ultimo, directing the Comptroller to remit a tax levied on lot south corner of Cherry street, west side of Hickory street, 100 feet by 66. This lot has been assessed six different times for sewerage, making the entire tax on the lot fronting and having 66 feet on Cherry St., $216 36.

It seems that the assessment was larger upon this lot than others, and that the assessment differs somewhat from the usual custom of assessing corner lots, but the doctrine has been well settled, that after the proceedings have been regularly taken, as prescribed by the Charter there is no relief, no power being given to the Council to remit or refund a tax. I find that Mayor Stevens vetoed a similar resolution to the one above described, and returned the resolution to the Common Council on the 26th of April, 1856, on the ground that when the proceedings are regularly taken, and parties interested fail to appear and protect themselves at the proper time, "they are forever cut off from any relief in the premises," and such has been the decision for a number of years.

Respectfully,

F. A. ALBERGER, Mayor.

Ald. Adams moved that the said communication be received and placed on file, and that the subject matter of so much thereof as relates to order directed to be drawn, in favor of Clapp, Matthews, and Waite, be referred to the Committee on Schools, and that the subject matter of the balance of said communication be referred to the Committee on Finance. Carried.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

COMPTROLLER'S OFFICE,
Buffalo, June 10 1861.

To the Hon. Common Council:

GENTLEMEN:—The following named sums are required to pay renewals of policies of insurance upon city property expiring at the dates below named:

Upon Elk Street Market, two policies, expiring on the 8th and 10th instant, and renewed, $50 00.

Upon the City Hall Buildings, three policies, renewed this day, $62 50.

It is recommended that an order for $25 be drawn on the general fund, market department estimates for 1861, in favor of Davis and Wilkie agents, and also a like order of $25 on same department in favor of H. Chambers, agent, in full for such insurance on said Elk street market building. And that an order for $62 50 be drawn on same fund, City Hall and Porter's department, in favor of H. Chambers, agent, in full for renewals on City Hall buildings.

I also report that policies expire in several school districts, on the 21st instant, as follows:

Upon school property in districts Nos. 2, $37 50; 3, $34 50; 4, $37 50; 5, $34 50; 6, $31 50; 7, $30; 8 $22 50; 10, $30; 11, $22 50; 12, $37 50; 14, $31 50; 15, $22 50; 18, $13 50 20, $22 50; 23, $2 25; 25, $1 88; 26, $1 50; 27, $1 50; 29, $1 12, and Vine Street School, $19 50 Total for school policies $195 75.

I recommend that orders be drawn in favor of A. A. Eustaphieve, Secretary, on the various school district local fund, for the several amounts respectively above named, and order for $19 50 upon the general fund school department for the renewal on Vine street house, in full payment for the renewal of policies on the aftersaid school property, same deliverable on and after the 21st instant.

Respectfully,

ALONZO TANNER, Comptroller.

Filed and orders directed to be drawn as recommended.

The President here appeared and took the Chair.

FROM THE STREET COMMISSIONER.

GENTLEMEN—In compliance with your direction, the undersigned advertised for proposals to grade and pave Franklin street, from the northerly line of Niagara street to the curbing on the southerly side of Chippewa street, and have received the following:

From Isaacc Holloway: For excavation, per cubic yard, 12½ cts.; for paving, per square foot, 8 cts.; for platform stone, per square foot, 31 cts.; for curbing, (new,) per lineal foot, 20 cts; for curbing, (reset old,) per lineal foot, 4 cts For sewers and receivers, each, $60.

From James Howells: for excavat'on, per cubic yard, 11 cts.; for paving, per square foot, 8 cts.; for platform stone, per square foot, 26 cts.; for curbing, (new,) per lineal foot, 18 cts.; for curbing, (reset old,) per lineal foot, 3 cts. For sewers and receivers, each, $60.

From Whitmore Rathbun & Co.: For excavation, per cubic yard, 20 cts.: for paving, per square foot, 8¾ cts.; for platform stone, per square foot, 30 cts.; for curbing, (new,) per lineal foot, 17 cts.; for curbing, (reset old,) per lineal foot, 3 cts. For sewers and receivers, each, $75.

L. J. WATERS, Street Commissioner.

Referred to Committee on Streets.

FURTHER FROM THE STREET COMMISSIONER.

GENTLEMEN:—In compliance with your direction the undersigned advertised for proposals to repair the bridge across Prime Slip on Canal street, between Main and Lloyd street, and no proposals were received.

L. J. WATERS, Street Commissioner.

Referred to Committee on Streets.

FURTHER FROM THE STREET COMMISSIONER.

GENTLEMEN:—In compliance with your direction the undersigned advertised for proposals to grade and pave Niagara street, from the northerly line of Amherst street to the northerly line of Hamilton street, and have received the following:

From Isaac Holloway—For excavation, per cubic yard, 9 cents; paving, per superficial foot, 7 ct; platform stone, per superficial foot, 26 cts; curbing, per lineal foot, 17 cts. Sewers and receivers, each $60.

From James Howells—For excavation, per cubic yard, 15 cts; paving, per superficial foot, 8¾ cts; platform stone, per superficial foot, 26 cts; curbing, per lineal foot, 18 cts. Sewers and receivers, each $60.

From William Farmer, Jr.—For excavation, per cubic yard, 17 cts; paving, per superficial foot, 8¼ cts; platform stone, per superficial foot, 26 cts; curbing, per lineal foot, 18 cts. Sewers and receivers, each $60.

From Whitmore, Rathbun & Co.—For excavation, per cubic yard, 25 cts; paving, per superficial foot, 9 cts:

platform stone, per superficial foot, 30 cts; curbing, per lineal foot, 17 cts. Sewers and receivers, each $75.

J. L. WATERS, Street Commissioner.

Referred to Committee on New Territory.

The Street Commissioner also reported the portions of the Plank Road on Genesee street, between Jefferson street and one mile therefrom, which had not been repaired, as ordered by the Council on the 15th of April last. Referred to Committee on New Territory.

The Street Commissioner also reported a proposal from James Howells to grade, pave, &c., Franklin st, from Niagara to Chippewa street, which had been left at his office with a request that the same be reported to the Council. Referred to Committee on Streets.

FROM THE CITY SURVEYOR.

In compliance with your order of June 3d, I submit the following description of the lines of the alley between Main and Washington streets, running northerly from Mohawk street; also a grade for the same.

The westerly line of the alley is 80 feet distant from the easterly line of Main street and parallel thereto, extending northerly 120 feet from the northerly line of Mohawk street, and 11 9-10 feet in width. The grade to commence at the intersection of the center line of the said alley with the northerly curb line of Mohawk street, at an elevation of 44 10-100 feet above the base line of levels; thence rising northerly along the said center line 0 50-100 of a foot in the whole distance of 132 feet to an elevation of 44.60 above the base line of levels at the northerly end of the alley.

PETER EMSLIE, City Surveyor.

Referred to Committee on Streets.

FROM THE FIRE MARSHAL.

GENTLEMEN:—By direction of your Honorable Body, I contracted with William Taylor to furnish 2000 feet of leather hose.

He has delivered 500 feet, and asks for a payment of $400 on said contract.

Value of hose delivered, $500.

Amount paid is nothing.

Amount asked for $400.

I would recommend that an order for $400 be drawn in his favor to apply on contract.

D. KISSOCK, Fire Marshal.

Filed and order directed to be drawn as recommended.

FURTHER FROM THE FIRE MARSHAL.

GENTLEMEN:—William I. Williams asks for a settlement of his contracts for building two barns, one on Niagara and one on Huron street—the barns having been completed according to said contract.

The amount of contract is—

For barn on Niagara street	$385 50
" " Huron street	372 00
	$757 50
Amount paid on Niagara street barn	$150 00
" " Huron " "	150 00
	$300 00
Amount unpaid on both contracts	$457 50

I would respectfully recommend that an order be drawn for $235 50 in full for Niagara street barn contract. Also an order for $222, in full for barn on Huron street.

D. KISSOCK, Fire Marshal.

Filed and orders directed to be drawn as recommended.

The Clerk of the Markets reported the amounts due the Porters of the several Markets for service for the month of May. Filed and orders directed to be drawn.

The following communication was received:

To the Common Council of the City of Buffalo:

The undersigned, Trustees of the Grosvenor Library, being ready to take charge of its money and funds, as provided in the acts of the Legislature relating to said Library, would respectfully ask your honorable body to authorise, by resolution, the delivery to the Trustees of said money and funds.

Dated Buffalo, June 3, 1861.

GEO. R. BABCOCK,
O. H. MARSHALL,
JOS. G. MASTEN.

Referred to Committee on Finance.

The City Clerk laid before the Council the certificates of the Inspectors of Election of the First and Second Districts of the Twelfth Ward, of the result of the Special Election held in said Ward, on the eleventh day of June, A. D., 1861, and a tabular statement of the result of said special election.

Tabular statement of the result of the special election held in the twelfth ward of the City of Buffalo, on Tuesday, the eleventh day of June, in the year 1861.

VOTES FOR ALDERMEN.

	1st. Dist.	2d, do.	Total.
Whole number of votes	401	141	542
Lewis P. Dayton	249	76	325
Thomas Chester	152	65	217

Ald. Adams moved that Lewis P. Dayton having received the greatest number of votes, as appears from said tabular statement, be, and he is hereby declared duly elected Alderman of the Twelfth Ward of the City of Buffalo. Carried.

The following canvass and determination was signed by all the Aldermen present.

We, the Common Council of the City of Buffalo, in the County of Erie and State of New York, do hereby certify that the following is the result of the votes given in the Twelfth Ward of the city of Buffalo, for the office of Alderman, at the Special Election held in said Ward on the Eleventh day of June, A. D., 1861, to wit:

That the whole number of votes given for the office of Alderman of the Twelfth Ward was Five Hundred and Forty-two.

Of which Lewis P. Dayton received three hundred and twenty-five votes, and Thomas Chester received two hundred and seventeen votes.

And the said Lewis P. Dayton having received the greatest number of votes is hereby declared duly elected Alderman of the Twelfth Ward of the city of Buffalo.

In witness whereof, we have hereunto subscribed our names, at Buffalo, aforesaid, this twelfth day of June, A. D., 1861:

A. S. BEMIS, President Council.

James Adams,	Nathaniel Jones,
Chas. E. Felton,	Andrew Grass,
J. F. Swartz,	J. Hannavan,
Joel Wheeler,	Jacob Scheu,
Thos. Savage,	Paul Goembel,
Geo. R. Yaw,	Z. G. Allen,
J. Crowder,	Everard Palmer,

Alex. Brush.

The oath of office was then administered by the Clerk to Lewis P. Dayton, Alderman elect of the Twelfth Ward.

PETITIONS.

Of Christian G. Guenther, for a declaration of sale on lot on north side of Seneca street, part of farm lot No. 14, lying 165 feet west of Swan street, being 60 feet front to Swan street.

Of S. G. Bailey, to have money refunded on erroneous tax scrips.

Of R. A. Davrican, for payment of a local order.

Of Peter Loat, for relief from tax. Referred to Committee on Finance.

Of Stephen C. Clark, to be appointed Commissioner of Deeds. Referred to Committee on Schools.

Of P. Hoffman, to have Weaver's Alley graded. Referred to Committee on Streets.

Of Engine Co. No. 3, to have their engine re-painted.

Of Peter Shultz, for permission to erect a frame building.

Of Geo. S. Voght and others, to have permission granted to M. Kertz, to erect wooden building.

Of John Brinkwarth, for permission to remove 3 buildings from Franklin to Perry street. Referred to Committee on Fire.

Of Trustees of Buffalo Female Academy, to have an old well filled up. Referred to Committee on Water.

Of Henry Thornton, for license to ferry across Niagara River.

Of John Auckinvole, for same.

Of Wm. Wallace, for same.

Of S. Heminway, for same. Referred to Committee on Wharves, Harbors, and Ferries.

Of Edward Brennen and others, to have lands west side of State Line Railroad track drained. Referred to Committee on Sanitary Measures.

Of W. A. Bird and others, to have Military Road repaired between State Ditch and the City Line. Referred to Committee on New Territory.

Of George Herold, for Fireman's Certificate.

Of John Zier, for same. Referred to City Clerk with power.

Petition of John Kelley and Jacob Dole, for permission to place a refrigerator in Elk Street Market.

Ald. Savage moved that the prayer of the said petition be granted under the direction of the Clerk of the Markets.

Ald. Yaw moved to refer the same to the Committee on Markets. Lost.

And the motion of Ald. Savage was then carried.

REMONSTRANCES.

Of Benj. Eldridge and others against paving Franklin street.

Of E. Marvin and others, against same. Referred to Committee on Streets.

Of John N. Differ and others against the erection of a building on east side of Main street between Chippewa and Genesee streets. Referred to Committee on Fire.

ACCOUNTS REFERRED.

Jane Dunn, for amount paid for cleaning school house No. 30.

N. W. Barker, for labor and material for public school No. 32.

A. B. Barker, for sawing wood, &c., at public school No. 7. Referred to Committee on Schools.

David Walker, Jr., for repairing wood culvert across Goodrich street, on the easterly side of Ellicott street. Referred to Committee on Streets.

W. I. Williams, for repairing sidewalk on the west side of Michigan st., between Sycamore and Batavia streets.

Same, for repairing sidewalk on the southwesterly side of Palmer street, between Hudson and Maryland streets. Referred to Committee on Side and Crosswalks.

Thos. M. Ottley, for oats for Fire Department.

Chas. H. Keller, for labor for same. Referred to Committee on Fire.

Klein & Dobinson, for repairs to sundry wells.

John Gisel, for constructing a well near north west corner of Michigan and Carlton streets. Referred to Committee on Water.

William Post, for Inspector of Election, 12th ward.

Thomas J. Smith, for same. Referred to Committee on Claims.

J. M. Daniel, for wood for Police Department. Referred to Committee on Police.

Case & Co., for sundries for Elk Street Market.

Hibbard & Barnes, repairing scale in Washington Market. Referred to Committee on Markets.

S. Joslyn, for repairing fountain in Johnson Park.

J. S. Provoost, for ensign. Referred to Committee on Public Grounds.

REPORTS OF COMMITTEES.

Ald. Wheeler, from the Committee on Schools, reported in favor of the adoption of the following resolutions:

That the City Assessors assess $500 upon the taxable property of School District No. 6 (as described by the ordinances) for the purpose of paying for the building, furnishing and repairs of the School House in said district and the appurtenances thereto. Adopted.

That the City Assessors assess $500 upon the taxable property of School District No. 16, (as described by the ordinances) for the purpose of paying for the building, furnishing and repairs of the School House in said district, and the appurtenances thereto. Adopted.

That the City Assessors assess $800 upon the taxable property of School District No. 18, (as described by the ordinances) for the purpose of paying for the building, furnishing and repairs of the School House in said district, and the appurtenances thereto. Adopted.

That the City Assessors assess $500 upon the taxable property of School District No. 19, (as described by the ordinances) for the purpose of paying for the building, furnishing and repairs of the School House in said district, and the appurtenances thereto. Adopted.

That the City Assessors asssess $500 upon the taxable property of School District No. 20, (as described by the Ordinances,) for the purpose of paying for the building, furnishing and repairs of the School House in said district, and the appurtenances thereto. Adopted.

That the City Assessors assess $800 upon the taxable property of School District No. 24, (as described by the Ordinances,) for the purpose of paying for the building, furnishing and repairs of the School House in said district, and the appurtenances thereto. Adopted.

Also, in favor of allowing the following accounts, and of drawing orders for same:

O. M. K. Paulison, for Cyclopedias—$33.

Margaret Newman, for cleaning School House No. 3—$12.

Valentine Young, for dusters for schools—$35.

Geo. W. Gilman, for whitewashing, &c., in School No. 26—$3.

W. H. Walker, Assignee, for sundries for Central School —$3 88.

Wesley Emmons, for labor, &c., at Schools Nos. 6 and 8—$89 75.

Same, for same at Nos. 10, 14 and 33—$61 72.

Martin Taylor, for books for school libraries, balance on account—$160. Adopted.

Also, in favor of the adoption of the following resolution:

That the Superintendent of Schools and Chairman of the School Committee, be authorized and directed to advertise, in the city paper, 10 days, for proposals to build and erect a primary school building in District No. 15, in accordance with the plan and estimates on file at the Superintendent of School's office. Adopted.

Ald. Palmer, from the Committee on Streets, reported in favor of allowing the following accounts and of drawing orders for the same, viz:

George Fisher, for cleaning streets in May, 1861—$13 13.

Jno. Erb, for same—$13 31.

Jno Fisher, for same—$8 44.

Barnhardt Henry, for same—$6 00.

Philip Schar, for same—$7 13.

G. Hyatt, for disbursements—$1 27. Adopted.

Also in favor of directing the City Assessor to make an assessment as follows:

Assess $.3 45 for repairing wood culvert across Dearborn street, between Farmer and Austin streets. Adopted

Also in favor of the adoption of the following resolutions:

That the Street Commissioner cause the wood culvert across Goodrich street, on the easterly side of Ellicott street, to be repaired, at an expense not exceeding $3—and report. Adopted.

That the Street Commissioner cause the wood culvert across Allen street on the easterly side of Deleware street, to be repaired, at an expense not to exceed $7, and report. Adopted.

That the Street Commissioner cause the wood culvert across York street, on the westerly side of Fourteenth street to be repaired, at an expense not exceeding $5, and report. Adopted.

That the Street Commissioner cause the Bridge across William street, between Lockwood street and the New York Central Railroad, to be repaired, at an expense not exceeding $10, and report. Adopted.

That the Street Commissioner cause the wood culvert across Fourteenth street, on the south easterly side of Connecticut street, to be repaired, at an expense not exceeding $5, and report. Adopted.

That the Street Commissioner cause Clinton street, between the New York Central Railroad, and the Buffalo, New York and Erie Railroad, to be repaired, by filling holes with stone chips, brickbats, &c., at an expense not exceeding $50, and report. Adopted.

Also, in favor of directing the City Assessors to make an assessment as follows:

Assess $12 60 for constructing a wood culvert across Locust street, on the northerly side of Cherry street. Adopted.

Also, reported in favor of referring the subject of opening said Perry street, to the Committee on Streets, together with the City Attorney, for further investigation, and that they report to this Council on the same, on Monday, June 24th, 1861. Adopted.

Also, in favor of the adoption of the following resolutions:

That the Common Council of the City of Buffalo, intend to order Huron street graded, and a carriageway paved therein, 36 feet wide, and all necessary crosswalks constructed across, and curbing set on both sides of said carriageway, from the curb line on the westerly side of Morgan street, to the New York State Reservation Line, and that the City Clerk cause the necessary notice of such intention to be duly published. And that the City Surveyor is hereby directed to estimate the quantities of the different kinds of work necessary to do the same, also, the number and location of all crosswalks and sewers and receivers necessary to perfect the work. And when such estimate is made, the Street Commissioner is hereby directed to advertise 6 days in the city paper for proposals to do said work. Adopted.

That the Street Commissioner cause the gutter on Main street, at the northwest corner of Main and Niagara streets, be deepened at an expense not exceeding $25, and report. Adopted.

That the Street Commissioner cause Fulton street to be repaired between Chicago street and Ohio Basin Slip, by opening gutters and filling holes with stone chips and cinders, at an expense not exceeding $25, and report. Adopted.

Also in favor of directing the City Assessors to make an assessment as follows:

Assess $30 for repairing Perry street from Hamburg street to a point 800 feet easterly therefrom. Adopted

Ald. Brush, from the Committee on Sewers, reported in favor of the adoption of the following resolution:

That the Street Commissioner cause the sewer and receiver at the northwest corner of Batavia and Elm streets to be repaired at an expense not to exceed $13, and report. Adopted.

Also in favor of allowing the following accounts and of drawing orders for the same:

Churchyard & Berzinger for test pits for sewer in the sidewalk on the southerly side of Batavia street from the sewer in Emslie street to within 25 feet of Jefferson street, charged at $26 85, allowed at $20.

Geo. Miller for repairing sewer and receiver at the southwest corner of Niagara and Carolina streets—$4 57.

John Wannop for repairing sewer and receiver at the southeast corner of Church street and the Terrace—$7 77.

Geo. Miller for repairing the sewer in Fulton street, 50 feet westerly from Alabama street—$5 12 Adopted.

Also in favor of directing the City Assessors to make assessments as follows:

Assess $26 54 for reconstructing a sewer and receiver at the southeast corner of Hickory and Cherry streets. Adopted.

Assess $14 29 for repairing sewer and receiver at the northwest corner of North Division and Jefferson streets. Adopted.

Also, in favor of allowing the following accounts, and of drawing orders for the same:

O. Butler, Jr., for repairing the sewer on Georgia street, near the tow path—$6 64

John Wannop, for repairing sewer and receiver at the northeast corner of Perry and the Elk Street Market ground—$7 29.

Same, for repairing sewer and receiver at the northwest corner of Spring and South Division streets—$9 91. Adopted,

Also, in favor of the adoption of the following resolutions:

That it is hereby ordered and determined that a brick sewer be constructed, 18 inches in diameter in the clear with walls 8 inches thick, on the south side of Seneca street, from the termination of the present sewer in said street to the old city line. Adopted. Ayes, 18; Noes, 0.

That the City Assessors assess $330 for constructing a brick sewer, 18 inches in diameter in the clear with walls 8 inches thick, in the south side of Seneca street, from the termination of the present sewer in said street to the old city line. Adopted.

That when an assessment shall be confirmed for the construction of a sewer in the south side of Seneca street, from the termination of the present sewer in Seneca street, to the old city line, that the Street Commissioner contract with Herman Schong to do the same at a rate not exceeding 73c per lineal foot, for the reason that in the opinion of the committee it will be for the best interest of the parties liable to be taxed therefor. Adopted.

Ald. Schwartz from the Committee on Side and Crosswalks, reported in favor of the adoption of the following resolution:

That the resolutions adopted April 15th, ordering a sidewalk constructed on the northerly side of Sycamore street, between Jefferson and Adam streets. Also, a crosswalk constructed across Madison street, on the northerly side of Sycamore street, be and the same are hereby rescinded, and the prayer of the petitions asking for the same be and the same are hereby denied. Adopted—Ayes 19; Noes 0.

Also, in favor of directing the City Assessors to make assessments as follows:

Assess $8 68 for repairing the plank sidewalk on the easterly side of Jefferson street, between North Division and Eagle streets. Adopted.

Assess $5 00 for constructing a stone sidewalk on the southeasterly side of Virginia street, between the present walk on Niagara streets, and the curbing on the southeast corner of Niagara and Virginia streets. Adopted.

Assess $100 00 for constructing a stone crosswalk across Court street, on the westerly side of Pearl street.—Adopted.

Assess $8 00 for repairing crosswalk across Locust street, on the northerly side of Cherry street. Adopted.

Assess $6 64, for constructing a plank crosswalk across Pratt street, on the northerly side of William street. Adopted.

Assess $5 76, for repairing the crosswalk across Washington street, on the northwesterly side of Ferry street. Adopted.

Assess $6 56, for constructing a plank crosswalk across Fifth street, on the southeasterly side of Virginia street. Adopted.

Assess $7 20, for repairing the crosswalk across Spring street, on the north side of Clinton street. Adopted.

Assess $7, for repairing the crosswalk across Goodell street, on the north side of Cherry street. Adopted.

Also, in favor of allowing the following account and of drawing orders for the same:

Frederick Scheifer, for constructing a plank crosswalk across Burton alley, on the easterly side of Weaver's alley, amounting to $2 88. Adopted.

That the resolution adopted by this Council at its meeting held May 6th, 1861, directing the Street Commissioner to cause a plank crosswalk to be constructed across Miami, Mackinaw and Sandusky streets, on the easterly side of Louisiana street, be and the same is hereby repealed.

Ald. Bemis moved to amend said resolution by adding the following:

That the resolution passed April 15th, 1861, ordering the repair of sidewalk on north side of Carroll street, between Michigan and Chicago streets, be and the same is hereby repealed.

That the resolution passed April 15, 1861, ordering the repair of sidewalk on south side of Carrol street, between Michigan and Chicago streets, be and the same is hereby repealed. Carried.

And the resolution as amended was adopted. Ayes, 18; Noes, 1.

That the resolution adopted by this Council, at its meeting held May 6th, 1861, ordering the construction of a plank sidewalk on the easterly side of Louisiana street, between the Buffalo New York and Erie Railroad and Sandusky St. be, and the same is hereby repealed. Adopted: Ayes, 19; Noes, 0.

That the resolution adopted by this Council, at its meeting held May 20th, 1861, ordering a plank sidewalk constructed on the easterly side of Louisiana St, between Miami and Sandusky Sts. be, and the same is hereby repealed. Adopted: Ayes, 18; Noes, 1.

Also in favor of directing the City Assessors to make Assessments as follows:

Assess $75 for reconstructing crosswalk across Franklin St., on the southerly side of Church St. Adopted.

Assess $27 82 for repairing sidewalk on the south side of Green St., between Washington and Michigan Streets. Adopted

Also in favor of allowing the following accounts, and of drawing orders for the same:

W. I. Williams, for repairing sidewalk on the northerly side of Tupper St. between Main and Franklin Sts—$20.

L. Williams, for repairing sidewalk on the easterly side of Elm Street, between Goodell and High Streets—$71 60. Adopted.

Ald. Yaw, from the Committee on Fire, reported in favor of the adoption of the following resolution:

That the petition of Mathias Kertz, asking permission to erect a wooden barn on the east side of Ellicott St., between Chippewa and Tupper Sts. be, and the same is hereby denied. Adopted.

Also reported that the Committee had directed the Fire Marshal to give contract with W. I. Williams, for building a brick barn on Chicago street, at the sum of $895; said Williams to furnish satisfactory security for the faithful performance of such contract. Filed and action approved.

Also in favor of allowing the following accounts and drawing orders for same:

Henry Knor, for one grey horse—$100.

De Forrest & Coye, for coal for steamer—$52 50.

John Thompson, for washing—$2 76.

W. I. Williams, for repairing house of Hook & Ladder Co. No. 1, charged at $30 47, allowed at $30 26.

W. H. H. Newman, for sundries for Fire Department—$6 88.

D. C. Godwin, for repairs allowed at $1 25.

Chester Adams, for hay for Fire Department—$8

Clapp, Matthews & Waite, for order book for Fire Marshal—$6.

William Taylor, for repairing hose—$9 75. Adopted.

Also in favor of adopting the following:—

That Hook and Ladder Co. No. 1 be, and the same is hereby disbanded, and the Fire Marshal is directed to take charge of all the fire apparatus and other property belonging to the city, in the house of said Company.—Adopted.

The Committe on Fire also reported that in accordance with the resolutions passed by the Council, they had in conjunction with the Fire Marshal rented of the Shepard Iron Works the Steam Fire Engine Niagara, a written contract of the same being on file in the Comptroller's office. Filed and action approved.

Also in favor of the adoption of the following resolutions:—

That permission be and is hereby granted to A. Sutherland to remove wooden sheds in rear of premises No. 97 North Division street, and erect in place of same a wooden building 14 by 25 feet and 9 feet in height, the same to be done under the direction of the Fire Marshall, and subject to the further order of this Council. Adopted, ayes 16, noes 0.

That the Fire Marshal be and he is hereby authorized to repair one of the Hook and Ladder trucks and ladder, at an expense not to exceed $100. Adopted.

That the Fire Marshal be and is hereby authorized to procure a sufficient number of couplings for the Hose now making, at an expense not to exceed $100. Adopted.

That the Steam Fire Engine, now being completed for this city by the Shepard Iron Works, be named the Seneca. Adopted.

Ald. Jones, from the Committee on Water reported in favor of the adoption of the following resolution:

That the Street Commissioner cause the well at the corner of Sixth and Carolina streets to be so repaired, as to prevent the water from the sewer from passing into the same, at an expense not exceeding $29, and report.

Ald. Adams moved to refer said resolution back to the Committee on Water. Carried.

Also reported against ordering any repairs or new pump to well at the corner of Michigan and Eagle street, and that the Committee be discharged from further consideration of the same, Adopted.

Also reported against ordering any repairs to well corner of William and Stanton streets, for the reason that the same is not a public well, and that the Committee be discharged from further consideration of the same. Adopted.

Also, in favor of directing the City Assessors to make assessments as follows:

Assess $5, for repairing and maintaining the public well and pump, No. 126, located at the corner of Niagara and Hudson streets. Adopted.

Assess $12 for repairing and maintaining the public well and pump No. 80, located at the corner of Mortimer and Genesee streets. Adopted.

Ald. Beckwith, from the Committee on Claims, reported in favor of allowing the following accounts, and of drawing orders for the same:

Mason & Bidwell, for flag staff on Council Chamber—$20.

E. R. Jewett, for publishing Comptroller's statement—$16 88

Charles Pickering, for services in City Clerk's office—$63 33.

John Franklin, for whitewashing Treasurer's office—$1.

Clapp, Matthews & Waite, for printing tax sale, &c.,—$406.

Elijah Wells, for amount paid for cleaning city offices—$15 58.

Harriet Atwood, for cleaning city offices—$12 84.

Farnham & Hodge, for coal for city buildings—$16 50.

A. M. Clapp & Co., for advertising for Receiver, charged at $18 70 allowed at $18 20.

E. R. Jewett, for same—$2 25.

L. M. Flersheim, for sundries for city offices—$13.

Otis F. Presbrey, for disbursements—$5 09. Adopted.

Ald. Stork, from the Committee on Police, reported in favor of allowing the following accounts and of drawing orders for the same:

Eli Fontaine, for commitments to Penitentiary—$15 38.

Adam Jones, for same—$15 38.

Ann Tracy, for cleaning Police Station No. 1—$10.

Bridget Holland, for same at No. 2—$6

Ann Stroup, for same at No 3—$8.

John Foegan, for same at No. 4—$6. Adopted.

Ald Storck, from the Committee on Markets, reported in favor of allowing the following account, and of drawing an order for the same:

Geo. Chrysler, for brooms for markets—charged at $6; allowed at $5. Adopted.

The President appointed Ald. Dayton as Chairman of the Committee on Claims, and also a member of the Committees on Schools, Streets and New Territory, in place of S. W Howell, whose term of office had expired.

Ald. Allen, from the Committee on Wharves, Harbors and Ferries, reported in favor of allowing the following account, and of drawing an order for the same:

Potter & Prime, for removing obstructions from Buffalo Creek—$200. Adopted.

Ald. Brush, from the Committee on Public Lamps, reported in favor of allowing the following accounts, and of drawing orders for the same:

W. I. Williams, for repairing fence around Johnson Park—$6 82.

Hardiker & Toy, for plumbing at City Hall—$13 63.

Same, for Gas Fixtures, &c., at Chief of Police's office—$8 75.

Same, for gas fitting at City Clerk's office—$0 50.

Samuel Caldwell, for whitewashing at same—$3.

George Fisher, for labor in Court House Park—$1 50.

John Erb, for same—$1 50.

Same, for labor in Franklin Square—$0 75.

John Fisher, for labor in Court House Park—$2 63.

Phillip Shan, for labor in Johnson Park—$1 50.

Barnhart Henry, for same—$1 50.

J. S. Provoost, for flag for City Buildings—$12.

George Fisher, for labor in Johnson Park—$1 69.—Adopted.

Ald. Adams, from the Committee on Public Lamps, reported in favor of the adoption of the following resolutions.

That it is hereby ordered and determined by the Common Council of the City of Buffalo, that the Lamp District be and the same is hereby extended on both sides of Rock street, from Genesee street to Hospital street, and the Committee on Public Lamps are hereby authorized to cause service pipe to be laid, and lamps and posts to be set in such extended district. Adopted. Ayes, 19; Noes, 0.

That it is hereby ordered and determined by the Common Council of the City of Buffalo, that the Lamp District be and the same is hereby extended on both sides of Bryant street, from Main street to Linwood Avenue, and on both sides of Linwood Avenue, from Bryant street to a point two hundred and seventy-five feet northerly from said Bryant street; and the Committee on Public Lamps are hereby authorized to cause the necessary service pipe to be laid, and the necessary number of lamps and posts to be set in such extended district. Adopted. Ayes, 19; Noes, 0.

That so much of the resolution contained in the report of the Committee on Public Lamps, adopted April 8, 1861, as directs the Committee on Public Lamps to cause one lamp-post and lamp to be set at the northeast corner of Allen and Bowery streets, and one on the southwesterly side of Bowery street, 359 feet northerly from said Allen street, be and the same is hereby rescinded and repealed. Adopted—ayes 19, noes 0.

That the Committee on Public Lamps, be and they are hereby authorized to cause such number of lamp-posts and lamps to be set in the Lamp District on Allen and Bowery streets, as the same was extended on said streets by the Common Council, April 8th, 1861, as in the opinion of said committee shall seem just and proper. Adopted.

Also in favor of allowing the following accounts and of drawing order for the same.

Buffalo Gas Light Company for burners for public lamps and setting same—$148 26.

Same, for gas for public lamp for May—$2947 92.

James G. Turner, for lighting &c. public lamps for May —$384 48 —Adopted.

Ald. Savage, from the Committee on Sanitary Measures, reported in favor of the adoption of the following resolutions:

That an order be drawn in favor of the Clerk of the Board of Health for $15, on the General Fund of 1861, Board of Health Department, with which to pay for conveying small pox patients to the Pest House, the said Clerk to report to this Council the amounts so paid. Adopted.

Also in favor of allowing the following accounts and of drawing orders for the same:

G. J. Reinhardt for amount paid for conveying patients to Pest House—$8.

Wm. Miller for services as keeper of Pest House, &c.—$44 62. Adopted.

That the City Surveyor is hereby directed to report to this Council an estimate of the amount of dredging necessary to excavate the channel of Wilkeson Slip for its full width, and to the same depth as the Erie Canal, from the west side of Jackson street to the Erie Canal, and the estimated cost of the same, including suitable docking on both sides of said Slip between the above named points Adopted.

On motion of Ald. Felton, Ald. Storck was excused from further attendance at this meeting of the Council.

Ald. Crowder, from the Committee on New Territory, reported in favor of the adoption of the following resolution:

That the easterly side of Niagara St. be repaired, from the southerly end of the bridge across Scajaquada Creek to a point 100 feet southerly therefrom. Adopted.

Also in favor of directing the City Assessor to make an assessment as follows:

Assess $196 66 for repairing the easterly side of Niagara St., from the southerly end of the bridge across Scajaquada Creek to a point 100 feet southerly therefrom. Adopted.

Also in favor of the adoption of the following resolutions:

That it is hereby ordered and determined by the Common Council of the City of Buffalo, that Niagara St. be repaired, from the Northerly line of Hamilton St. to the centre line of Bird St., by planking a roadway therein, eight feet wide, with good oak plank, 3 inches thick, or pine plank, 4 inches thick, and the Street Commissioner is hereby directed to advertise for six days, in the official papers, for proposals to do said work, and report. Adopted: Ayes, 18; Noes, 0.

That it is hereby ordered and determined by the Common Council of the City of Buffalo, that Niagara street be repaired from the centre of Bird street to the Cornelius Creek, by planking a roadway therein, eight feet wide, with good oak plank 3 inches thick, or pine plank 4 inches thick, and the Street Commissioner is hereby directed to advertise six days in the official paper for proposals for doing said work, and report. Adopted. Ayes, 18; Noes, 0.

That the City Surveyor is hereby directed to examine the bridge and abutments for the same, across Cazenovia creek, on Cazenovia road, and make an estimate of the materials necessary to repair said abutment and bridge, including wood, iron and stone, naming the quantity of the different kinds of new material, necessary, also the quantity of the different kinds of old materials in the present bridge considered suitable to be used, and that he report such estimate to this Council, and when such estimate is made, the Street Commissioner be and is hereby directed to advertise 6 days in the city paper for proposals to do the work in accordance with the plans and such estimate of the City Surveyor, and report such proposals to this Council. Adopted.

Also, in favor of directing the City Assessors to make an assessment as follows:

Assess $15 for constructing stone culvert across Steele street, on the easterly side of Main street Adopted.

Also, in favor of the adoption of the following resolutions:

That the owners of the land on the southerly side of Ferry street, between Jefferson and Walden streets, cause a sidewalk to be constructed in front of their respective lots, 2 feet wide, of good hemlock plank 3 inches thick or pine plank 2 inches thick, well spiked to good sound bearers, where not already constructed, within 5 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $100 and report Adopted.

That the Street Commissioner cause a wood culvert across Amherst street, about 100 feet easterly of Delaware street, to be constructed at an expense not exceeding $6 and report, and that the resolution ordering a culvert constructed across Amherst street, on the easterly side of Delaware street, adopted June 11, 1860, be rescinded. Laid on the table.

That the Street Commissioner cause the wood culvert across Breckenridge street, on the easterly side of North Jefferson street, to be repaired at an expense not exceeding $5 and report. Adopted.

That the Street Commissioner cause the wood bridge on School street, between Twelfth and Albany streets, to be repaired at an expense not exceeding $10, and report.—Adopted.

That the Street Commissioner cause the bridge over the ravine on Elk street, about 260 feet easterly from Dole street, to be temporarily repaired, at an expense not exceeding $15, and report. Adopted.

That the Street Commissioner cause the plank crosswalk across Fourteenth street, on the northwest side of York street, to be repaired at an expense not exceeding $2. Adopted.

Also, in favor of allowing the following account, and drawing an order for same:

L. Williams, for repairing bridge across Smith street, near the junction of the Abbott Road, $5 88. Adopted.

Also in favor of directing the City Assessors to make an assessment as follows:

Assess $15 for reconstructing a stone culvert across Steele street on the easterly side of Main street. Adopted

SPECIAL COMMITTEES.

Ald. Adams, from the Special Committee on Prospect Hill Parks reported in favor of allowing the following account, and of drawing an order for the same;

Samuel Green, for services as keeper of parks on Prospect Hill, for April—$26. Adopted.

Ald. Adams moved that the Commom Council do now resolve itself into Committee of the Whole, for the purpose of considering the subject of revising the city ordinances.

Ald. Hanovan moved to adjourn. Lost.

The motion of Ald. Adams was then carried.

Ald. Beckwith was called to the chair.

The Committee of the Whole rose, and by their Chairman, Ald. Beckwith, reported that the Committee of the Whole, had had under consideration the subject matter of the City Ordinances, that they had gone through with the chapter "in relation to the prevention and extinguishment of fires," the chapter "on Wells, Water Works, &c.," the chapter on "regulations of Harbors," the chapter "on ferries," the chapter "on lamps and lamp posts," the chapter "of the sale of fish," and that they had made sundry amendments thereto, that they had directed the Chairman to report the same as amended to the Council, and recommend their adoption, and that Committee have leave to sit again.

Ald. Adams moved that the report of the Committee of the Whole, made by Ald. Beckwith in relation to the several Chapters of the City Ordinances, be, and the same is hereby received, and the Ordinances as reported be now adopted by this Council, and that the City Clerk cause the same to be published in the official paper of the city in compliance with the City Charter. Adopted.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Bemis—That the Committee for the Defense of the Federal Union be authorized to take the desk now in the rear room of the Fire Marshal's office, for the use of the Committee, and that they remove said desk to their office, subject to the further order of the Council. Adopted.

By Ald. Adams—That the City Clerk be, and he is hereby authorized and directed, to revise and compile for publication the Charter of the City of Buffalo, with all the amendments thereto in force at the present time; and also the Ordinances of the City, now, or hereafter to be adopted. Adopted.

The resolutions remaining on the desk of the Clerk at the adjournment of the Council, were by him referred to their appropriate committees, as follows:

That George McDuffee be appointed Commissioner of Deeds. Referred to Committee on Schools.

That the carriageway on the westerly side of Cazenovia Terrace, from the crosswalk on the southerly side of Court street to 100 feet southerly, be repaired.

That Tupper street, between Ellicott and Oak street, be repaired.

That Goodell street, between Michigan and Mulbery streets, be repaired.

That the Swring Bridges across Evans Ship Canal, be repaired.

That North Canal street, from Emslie to Hagerman streets, be repaired.

That Jefferson street, between Colton and High streets, be repaired.

That the City Attorney report as to the right of the Council to open Peach street. Referred to Committee on Streets.

That the sewer and receiver at the north west corner of Batavia and Elk streets, be repaired.

That the sewer and receiver at the north west corner of Eagle and Union streets, be repaired.

That the sewer and receiver at the south west corner of Seneca and Van Rensselaer streets, be repaired. Referred to Committee on Sewers.

That the crosswalk across Madison street, on south side of William street, be repaired.

That the crosswalk across Spring street, on the north side of William street, be repaired.

That the sidewalk on the north side of William street between Mortimer and Spring streets, be repaired.

That the sidewalk on the south side of William street, between Madison and Monroe streets, be repaired.

That a crosswalk asross Spring street, on the south side of William street, be repaired.

That a sidewalk be constructed on the west side of Ellicott street, between Chippewa and Tupper streets.

That a sidewalk be repaired on the west side of Ellicott street, between Chippewa and Tupper streets. Referred to Committee on Side and Crosswalks.

That the Fire Marshal be authorized to repair one of the Hook and Ladder trucks and ladders. Referred to Committee on Fire.

That the Liberty Pole at the Clinton Market be painted. Referred to Committee on Public Grounds.

That the bridge across Scajaquada Creek, on Delaware street, be repaired.

That Mineral Spring street, between the Ravine and the City line, be repaired.

That the Williamsville Road, between Delevan Avenue and the first plank road southerly running across the Williamsville Road, be repaired.

That the bridge across the ravine on Mineral Spring street, about 50 rods northeasterly from the Aurora plank road be repaired.

That the wood culvert across the Military Road, about 1200 feet northerly from the State Ditch, be repaired.

That Clinton street be repaired at both ends of the bridge over the ravine on Clinton street, about 200 feet westerly from the Buffalo and New York Central Railroad.

That $40 be assessed on property benefitted by bridge over Cazenovia Creek, at Martin's Corners. Referred to Committee on New Territory.

The Common Council adjourned to meet next Monday afternoon, June 17th, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 23.

CORPORATION PROCEEDINGS.

SPECIAL MEETING.

IN COMMON COUNCIL,
Buffalo, Thursday, June 20, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council and Ald. Adams, Beckwith, Crowder, Dayton, Felton, Grass, Hanovan, Howard, Jones, Mills, Rutter, Scheu, Schwartz, Walsh and Yaw.

Absent—Ald. Allen, Brush, Dorr, Goembel, Palmer, Pratt, Russell, Savage, Storck, and Wheeler.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM THE MAYOR.

MAYOR'S OFFICE,
Buffalo, June 20, 1861.

To the Hon. Common Council:

GENTLEMEN,—The Charter requires that the Annual Assessment Rolls shall be presented to your Hon. Body, by the Assessors, for the purpose of equalizing the same, and that after such action they shall place them in the hands of the Comptroller on or before the 20th of June.

The Assessors were prepared to present the rolls to your Hon. Body on Monday last, but there was no session held on that day. It being important that the requirements of the Charter should be obeyed in this respect, I have called an extra session of your Hon. Body, to meet this day at 2 o'clock, to transact such business as may come before you.

I herewith enclose an invitation of the German Young Men's Association to your Hon. Body.

Respectfully,

F. A. ALBERGER, Mayor.

The following is the invitation referred to.

BUFFALO, June 15, 1861.

His Honor Mayor Alberger—

DEAR SIR: I am authorized by the German Young Men's Association of this city, to extend to yourself, and the members of the Common Council, a cordial invitation to the "Johannisfest," to take place at Moffatt's Grove, on Monday the 24th inst., under the auspices of the Association.

Very respectfully,
CHARLES TRIESCHMANN,
President.

Ald. Howard moved that the communication from the Mayor be received and placed on file, and that the said invitation be accepted. Carried.

FURTHER FROM THE MAYOR.

MAYOR'S OFFICE,
Buffalo, June 20, 1861.

To the Hon. the Common Council:

GENTLEMEN: I return, without approval, the resolutions below mentioned, and which were adopted at the last session of your honorable body.

1st. A resolution directing an order to be drawn on the fund of School District No. 20, to pay insurance on school house of said district.

2d. A resolution directing orders to be drawn in favor of W. Emmons, on the funds of school districts Nos. 6, 8, 10, 14, and 33, to pay for repairs on school houses and appurtenances in the respective districts.

3d. The resolution determining "that the easterly side of Niagara street be repaired, from the southerly end of the bridge across Scajuquada creek, to a point 100 feet southerly therefrom."

4th. A resolution ordering an assessment to pay for the repair last mentioned.

5th. A resolution ordering an assessment to pay for "reconstructing a stone culvert across Steele street, on the easterly side of Main street."

The objection to the first resolution is that there is no money in the fund drawn upon to pay the order. To the second resolution, that the accounts for which the orders were directed to be drawn are not of sufficient magnitude to warrant or authorize the orders to be drawn upon local funds. The question as to the right of the Council to levy assessment for repairs on school-houses has often been discussed by your honorable body, and all the decision that has been made upon the subject was that there was no power to make such assessments, no matter how large the repair may have been, but that such expenditure must be paid from the general school fund.

Among the amendments of the City Charter, made by the Legislature last April, was one which relates to this subject, and reads as follows:

"No expenditures for repairs less than twenty-five dollars shall be a charge upon the district, but the Common Council shall assess the cost of any expenditures larger than twenty-five dollars, upon the taxable property of the district."

In my opinion the intention of this section is to authorize the Council to assess repairs costing twenty-five dollars and upwards, upon the district in which such repairs may be made, but not unless each distinct repair shall involve an expenditure of at least twenty-five dollars, and not as is proposed by the resolutions returned, to pay

from district funds the expense of numerous small repairs which amount to twenty-five dollars or more in the aggregate.

The objection to the third resolution is that the work involves the expenditure of more than fifty dollars, and therefore must be ordered by a two-third vote of your honorable body, which was not done.

To the 4th resolution which orders the assessment to be made to pay for the work ordered in the previous resolution, the objection is that it is questionable whether the proceeding would be correct and regular if the assessment should be ordered before the work itself is determined upon.

To the 5th resolution, that your honorable body adopted two resolutions on the same subject, one of which I have approved on the minutes and have rejected the other.

Very Respectfully,

F. A. ALBERGER, Mayor.

Ald. Howard moved that said communication be received and placed on file, and that the subject matter of so much thereof as relates to schools be referred to the Committee on Schools, and the subject matter of the balance thereof be referred to the Committee on New Territory. Carried.

By unanimous consent the following communication from the Board of Assessors was presented:

BUFFALO, June 20, 1861.

GENTLEMEN,—Herewith the undersigned the Board of Assessors, submit the Assessment Rolls for the General City Tax for 1861, for your approval and for equalization.

Respectfully yours,

LORENZ GILLIG,
JOB GORTON,
FAYETTE RUMSEY, } Assessors.

Received and placed on file

Whereupon, Ald. Adams offered the following:

Resolved, That the Assessment Rolls presented to the Council this day by the Assessors for equalization be and the same are hereby declared to be the equalized assessment rolls upon which to levy the General City Tax for the year one thousand eight hundred and sixty-one.—Adopted.

Ald. Beckwith moved that the Council do now adjourn. Carried.

The Common Council then adjourned to meet next Monday afternoon, June 24, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

IN COMMON COUNCIL,
Buffalo, Monday, June 24th, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council, and Aldermen Adams, Allen, Brush, Crowder, Dayton, Felton, Grass, Hanovan, Howard, Jones, Mills, Palmer, Savage, Scheu, Schwartz, Storck, Wheeler and Yaw.

Absent—Aldermen Beckwith, Dorr, Goembel, Pratt, Russell, Rutter, and Walsh.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM THE MAYOR.

GENTLEMEN—I return without approval two resolutions adopted on the 12th instant, rescinding resolutions passed April 15th, 1861, ordering sidewalks on both sides of Carrol street, between Michigan and Chicago streets.

The objection I have to the repealing of the above named resolutions, is that the work ordered is nearly completed, and I am informed by the Street Commissioner that such was the case when your honorable body directed the repeal. The expense of the work would become a general fund charge if proceedings should now be rescinded.

Summons was served upon me to appear before Chas. Gardner, Esq., Justice of the Peace, on the 2d inst., to answer to the demand of Adam Karn.

Respectfully, F. A. ALBERGER, Mayor.

Filed, and subject matter so much as relates to side walk, referred to the Committee on Side and Cross Walks, and subject matter so much as relates to suit commenced by Adam Karn, referred to the City Attorney, with directions to defend if by him deemed advisable.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER AND CHIEF OF POLICE.

GENTLEMEN,—By the terms of the lease from Hon. E. C. Dibble to the city, of the brick building recently used as Police Station No. 2, situate on Carroll street, the city was bound on surrendering possession of said premises, to surrender the same "in as good condition as when first leased by said city." The city ceased to occupy said premises on the first day of May last, and the necessary notice of surrender was given Judge Dibble, and he refused to accept the same and release the city, unless the terms of the lease should be complied with. In fitting up the new station the gas pipes and fixtures were removed, and used, on the supposition that they belonged to the city. It is now ascertained that they belonged to Mr. Dibble, and the building is really in a very bad condition, it having been occupied for a station since 1854. Mr. Dibble has manifested a commendable spirit of fairness and accommodation, and we have assumed the responsibility of compromising and settling the matter with him, on what we believe to be favorable terms to the city. We have agreed to pay him $65, in full payment of any and all claims that he may have had, or now has, against the city, under and by virtue of said lease and occupation, and for all damages done the premises, and also in full discharge of all claim for rent. This is certainly just, and should be paid, and we assured Mr. Dibble the order would be drawn this day. We therefore recommend that an order for $65 be drawn, in favor of Edgar C. Dibble, on the general fund, 1861, Police Department, in full payment of all claim, as stated above.

ALONZO TANNER, Comptroller.
GEO. DRULLARD, Chief of Police.

Referred to Committee on Police.

The Comptroller also reported the amounts due to several persons for rent of rooms occupied as an office &c., by the Chief of Police, and also the amounts due to the employees in his office for services in the month of June, and recommended that orders be drawn to pay such rent and for such services. Filed and orders directed to be drawn.

FURTHER FROM THE COMPTROLLER.

GENTLEMEN: The following named sums will be required to pay principal and interest on city bonds becoming due respectively, as follows:

On $35,000 7 per cent bonds, issued Dec. 27, 1853, interest payable at this office on the 27th inst ..... $ 1,225 00

On $36,000 6 per cent. bonds, issued Dec. 31, 1853, interest payable at the city of New

York on the 30th inst.	1,080 00
On $150,000 7 per cent. bonds, issued July 1, 1852, interest payable at the city of New York on the 1st proximo	5,250 00
On $43,000 7 per cent. special bonds, issued July 1, 1858, payable at New York on the 1st proximo—principal	21,000 00
Interest	1,505 00
On $45,000 7 per cent. special bonds, issued July 1, 1859, payable at the city of New York on the 1st proximo—principal	15,000 09
Interest	1,575 00
On $60,000 7 per cent. special bonds, issued July 1, 1860, payable at this office on the 1st proximo—interest	2,100 00
Commission to Duncan, Sherman & Co.	50 83
Premium on drafts	227 30
Total	$49,013 13

I recommend that orders be drawn in my favor for the payment of the above amounts, as follows:

Upon the General Fund, 1861, estimate for interest on the funded debt	$ 7,602 56
Upon the Tax Loan Fund	41,410 57
Total as above	$49,013 13

ALONZO TANNER, Comptroller.

Filed and orders directed to be drawn.

FURTHER FROM THE COMPTROLLER.

GENTLEMEN—In view of the large amount of tax scrip still owned by the city, of sales prior to that of the first inst., I deem it my duty to call your attention to the fact, to the end that some action may be had for the better protection of the city's interest in the same. Under the resolution adopted by you on the 28th of January last, allowing parties to redeem any and all scrip and leases held by the city, on the payment of the principal and interest at seven per cent, together with the expenses actually incurred, it was hoped the bulk of such scrip would be taken up on the very liberal terms prescribed. Much relief under this resolution has been had, both by the city and the tax payers; and considering the stringency of the times, perhaps as large an amount has been paid as could reasonably have been expected. It will be recollected that at the time I came into this office, there was about $60,000 principal, scrip in the hands of parties for collection, and some of these parties had actual assignments for the same, although the city had not been paid anything on account thereof, and had little or no security for payment or for the return of the scrip.

A great deal of care and and attention has been given this matter by the undersigned, in connection with the Mayor, late Auditor, and Chairman of the Finance Committee, and as a consequence, a large amount of scrip has been returned to this office; and I hope, at no distant day, we shall get the whole amount in.

Searches have been made and notices served on much of this scrip, and it seems to me that applications should be at once made to the Council for declarations in favor of the city, on the same, and other searches procured as may from time to time be necessary, and notices served. To do this, I think, a competent man should be employed to act under the direction of the Comptroller, to make all applications necessary to your body for declarations, and to act generally in the premises as any careful, prudential man would were the business his own. My plan would virtually be to establish a separate bureau, connected with this office, with a competent man at its head, who should discharge all the duties that may be prescribed with the advice, and under the direction of the Comptroller. All citizens have a common interest in the prosperity of our city, and once freed from these old sales and incumbrances upon their lands we shall have good reason for supposing that that prosperity will be measurably increased, particularly when it is considered that your legislation is made with a view to keep the taxes down by ordering no local improvements, save where the same are actually necessary, and are called for by a majority of the persons interested. In conclusion, I would recommend that this communication be referred to the Chairman of the Finance Committee, His Honor the Mayor, and the undersigned, with directions to report at an early day to your honorable body a specific plan for the objects named, and that they be empowered to take such action as they may deem best in the premises.

ALONZO TANNER, Comptroller.

Filed and subject matter referred to His Honor the Mayor, the Comptroller, Auditor, and the chairman of the Committee on Finance.

FURTHER FROM THE COMPTROLLER.

GENTLEMEN:—At the annual tax sale held on the 1st inst., and at its several adjournments there was struck off and sold to the city in accordance with and as is provided by section 16 of title 5 of the Revised City Charter, lands upon which the taxes, interests and expenses amount in the aggregate to $118,382 97. In this amount is included Roll 1326, for opening Sandusky street $3,840 29, Roll 1483 for paving Court street $3,161 14, and Roll 1485 for paving Seventh street $2,920 27; aggregate on these rolls inclusive of interest and fees is $9,921-70, which I propose not to include in the Tax Loan Fund. My reasons for not including this amount in the fund at this time for these sales, are that the Roll 1326 was made to pay the awards for lands taken to extend Sandusky street, and the awards are all in favor of the heirs to the Sidway Estate, on which no tender of payment has been made, and before title can be acquired to the lands so taken, payment or tender of payment will have to be made. I do not mean to say by this that the tax is invalid. I have no doubt it is a legal tax and may be enforced. The city has been enjoined from collecting the tax for paving Court and Seventh streets, pending the argument of the cases of Dolan and Lathrop against the City in the Court of Appeals, which cases are by the terms of the orders served on me on the 11th inst., to be submitted on printed arguments at the next term of the Court.

The amount then proper to be provided is $108,461 27, and the items making this amount are:

For General City Tax, 1860,	$24,093 68
Lamp Tax, 1860,	1,894 42
Water Tax, 1860,	1,111 58
Local assessment added to general roll,	79,433 79
Fees	1,927 80
Total as above,	$108,461 27

To provide for this amount pursuant to section 30 of title 5 of the Charter, it will be necessary, in my judg-

ment, to issue bonds on the 1st proximo to the amount of $80,000, reserving the right to issue a larger amount hereafter, if it shall be deemed necessary in the judgement of the Council. The local assessments for the paving of Niagara, Ninth and Maine streets, included in the above statement, amount to over $56,000, which, taken from the amount of local assessments added to general city tax, would leave only about $23,000 for all other local taxes. The Tax Loan Fund has been kept good, the books in this office showing a credit balance on the 1st instant of $42,089 59, and this amount will be largely increased by the payments or receipts to the credit of said fund for the present month of June. By an amendment of the Charter, passed by the Legislature of 1861, the city, with other parties, will be compelled to enforce the collection of its tax scrip; or apply and take a declaration within five years from the day of sale, for all sales subsequent to the sale of 1860, and if not so collected or steps taken to collect it, it is to be the duty of the Comptroller to cancel all such sales and discharge the same. If this is to remain the law it will become important for the city to take timely action for the collection of its scrip, commencing with that of the recent sale.

In conclusion, I would recommend that a resolution be adopted by you authorizing the issue of bonds to the amount of $80,000, to apply on payment of the purchases by the city at the late annual tax sale, leaving the remainder of such purchase not yet provided for, to be provided for by a further issue at a future day, should necessity require.

ALONZO TANNER, Comptroller.

Ald. Howard offered the following:

Resolved, That the Mayor and Comptroller be and they are hereby authorized and directed to issue the bonds of the city to the amount of $80,000 to apply in part payment of the purchases made by the city at the tax sale held June 1st, 1861, such bonds to bear interest at the rate of 7 per cent per annum, payable semi-annually at the Comptroller's office in this city, redeemable in one, two, three, four and five years from their date, July 1st, 1861, in such portions as they may deem advisable; and the Comptroller is hereby authorized and directed to negotiate them at not less than par, the proceeds to be applied in part payment of land so purchased by said city at such tax sale, and that said Comptroller report to whom and at what rates said bonds are disposed of. Adopted.

Ald. Howard then moved that the foregoing communication from the Comptroller be received and placed on file, and that the subject matter of so much thereof as is not disposed of by the above resolution, be referred to the Committee on Finance. Carried.

The Comptroller also reported the amounts which would be due on the first proximo to the Judges of the Superior Court, and to the several city officers for salary for quarter ending June 30th, and recommended that orders be drawn for same, such orders to be delivered on or after the first proximo.

Filed and orders directed to be drawn.

FROM THE CITY ATTORNEY.

I hereby report that I have been served with complain in suit brought by John F Stafford, by which it appears that the action is brought to recover the amount of certain orders, drawn to pay for the land taken for the construction of the Erie Basin; the amount claimed is $1,300, with interest from July 11th, 1850.

The Petition asking for the payment of these orders is now in the hands of the Finance Committee, and I understand that a proposition for the settlement of the whole matter has been made by certain parties interested. I therefore recommend that the subject matter of this suit be referred to said Committee.

I also report that the suit of Peter Cramer against the city has been tried before three referees. This suit was brought in 1858, to recover for extra work and materials in building the School House in District No. 19. The amount claimed was something over $1,000.

After the contract was made, your Hon. Body ordered the construction of a basement under the school house, which was not included in the original plan and contract, and this basement was built by the contractors: other extra work was also done on the building. The city is undoubtedly liable to pay for the construction of the basement, but, in my opinion, is not liable to pay for any other extra work, not ordered by the Council. The Referees have made a report upon this basis, and find that the Plaintiff should recover $555 57 for the basement, and $10 for certain repairs done on another school house, by direction of the Superintendent of Schools. I think both of these items are properly allowed, but the Referees have allowed interest on the account from the completion of the work, making the total amount found by them in favor of the plaintiff, the sum of $712 57, I think this is erroneous. Interest can be recovered on the amount found due only from the time of the presentation of the account, even if it can be from that time.

If no interest had been allowed upon the account, I should have recommended the payment of the amount found due, with the costs of suit, (the costs amount to $182 69,) but under the circumstances, I deem it proper for me to refer the whole matter to the decision of your Hon, Body.

I also report that the appeal brought by the Plaintiff, in the suit of John W. Clark against the City, has been argued at the general term of the Superior Court, and decided in favor of the city.

GEORGE WADSWORTH,
City Attorney.

Ald. Howard moved that said communication be received and placed on file, and that the subject matter of so much as relates to suit of Stafford be referred to the Mayor, Comptroller, City Attorney, and Committee on Finance, with power to settle, and that the subject matter of so much of said communication as relates to suit of Peter Cramer, be referred to the Committee on Schools. Carried.

FROM THE CITY ATTORNEY AND CHAIRMAN OF THE COMMITTEE ON STREETS.

The undersigned, to whom was referred to make further investigation of the subject of opening Perry street respectfully report:

That they find that in the year 1835, proceedings were taken to take the land to continue Perry street from Michigan street, to the old city line, and that the report of the Commissioners who were appointed to assess the damages and expenses, was duly confirmed in August of that year, that afterwards an assessment was made to pay for opening and working said street, between the

points above named. We have not been able to find the report of the Commissioners, and therefore are not informed as to the exact nature of the report. We further find upon examination and enquiry that said street was actually opened and worked from Michigan street to a point east of Hamburg street, at or near the crossing of the Buffalo and State Line Railroad track, but from that point to the old city line, the street has never been opened or worked, and the parties now in possession, either by themselves, or those from whom they derive title, have been in the actual occupation and possession of the land ever since, and have probably acquired title as against the city, by adverse possession, even if the city ever acquired any interest in the property under the proceedings of 1835.

In 1857 proceedings were had to take the land and property necessary to extend Perry street from its present termination to Dole street. In these proceedings Commissioners were appointed by the Court, who made their report to the Council upon the basis that Perry street then terminated at the old city line, and we are of opinion that by those proceedings, the land and property necessary to extend Perry street from the old city line to Dole street was duly taken. We are further informed and report that those proceedings were consummated by the parties interested of the amounts of the awards in the manner required by law.

We are therefore of opinion that Perry street from Main street to the point where the same was actually opened and worked, at or near the Rail Road crossing, and also from the old city line to Dole street is a legal public highway, but that from the point near the crossing above referred to, to the old city line, it is not a public highway, and that the city has no right or power to open or work said street between those points, until it shall have taken the land and property necessary for that purpose, by due legal proceedings under the Charter.

GEORGE WADSWORTH, City Attorney.
EVERARD PALMER, Ch'n Com. on Streets

Ald. Palmer, moved, that said communication be received and placed on file.

Ald. Hanovan, moved, as an amendment, that same be referred to the Committee on Streets together with the City Attorney. Lost.

The motion of Ald, Palmer was then carried.

FROM THE STREET COMMISSIONER.

GENTLEMEN:—In compliance with your direction, the undersigned advertised for proposals to gravel the carriageway, and clear the gutters in Delaware street, from Virginia street to North street, and from a point 200 feet north of North street to Utica street, and have received the following:

From I. Hollaway, for gravelling and clearing gutters per lineal foot, 40 cents.

For extra gravel, per cubic yard, 40 cents.

From Edwin Rose, for gravelling and clearing gutters per lineal foot, 65 cents.

For extra gravel, per cubic yard, 44 cents.

L. J. WATERS, Street Commissioner.

Referred to the Committee on Streets.

FURTHER FROM THE STREET COMMISSIONER.

GENTLEMEN:—The undersigned reports the following named repairs made and works completed at the expense severally, as hereinafter stated, to wit:

On Streets:—

Wood culvert constructed across Locust street, on the northerly side of Cherry street, $12 60.

Culvert repaired across Goodrich street, on the easterly side of Ellicott street, $2 88.

Wood culvert re-constructed across Carlton street, on the westerly side of Mulberry street, $8 00.

Gutter repaired on the southerly side of Genesee street, between Ash and Spruce streets, $10.

Referred to Committee on Streets.

On Sewers and Receivers:

Sewer and receiver repaired on the easterly side of Washington street, in front of Washington market ground, $11 37.

Sewer in Georgia street, near the tow-path of the Erie Canal, $6 64.

Sewer and receiver repaired at the northwest corner of Spring and South Division streets, $9 91.

Sewer and receiver repaired at the northeast corner of Perry street and Elk street market ground, $7 29.

Sewer and receiver repaired at the northwest corner of Batavia and Elm streets, $12 63.

Sewer and receiver repaired at the northeasterly corner of Genesee and Spruce streets, $8 24.

Sewer repaired in the Alley in rear of Bloomer's Hote between Niagara and Eagle streets, $1 88.

Sewer and receiver repaired at the northeasterly corner of Maryland and Tenth streets, $1 81.

Sewer and receiver repaired at the southwest corner of Elm street and Burton Alley, $3 21.

Sewer and receiver repaired at the pump on the northwest corner of Perry and Hayward streets, $4 25.

—Referred to Committee on Sewers.

ON SIDE AND CROSSWALKS.

Stone crosswalk constructed across Court street, on the westerly side of Pearl street—$100 00.

Sidewalk constructed on the southeast side of Virginia street, between the present walk in Niagara street and the curbing on the southeast corner of Niagara and Virginia streets—$5 00.

Crosswalk repaired across Niagara Square, on the southwest side of Niagara street—$23 25.

Sidewalk repaired on the southerly side of Green street, between Washington and Michigan streets—$27 82.

Crosswalk constructed across Forest avenue, on the easterly side of Niagara street—$5 60.

Sidewalk repaired on the southwest side of Palmer street, between Hudson and Maryland streets—$20 29.

Sidewalk repaired on the west side of Michigan street, between Sycamore and Batavia streets—$26 40.

Crosswalk repaired across South Division street, on the westerly side of Chestnut street—$6 00.

Sidewalk reconstructed on the southeast side of Lloyd street, between the westerly line of Canal street and the easterly line of Prime street—$29 84.

Stone crosswalk repaired across Swan street on the westerly side of Elm street—$20 00.

Crosswalk constructed across Clinton street, on the easterly side of Smith street—$8 32.

Sidewalk repaired on the southerly side of Eagle street, between Spring and Jefferson streets—$15 12.

Sidewalk repaired on the southerly side of Ohio street, between Main and Washington streets—$7 00.

Crosswalk repaired across North Division street, on the westerly side of Spring street—$4 48.

Crosswalk reconstructed across Spring street, on the southerly side of North Division street—$6 88.

Crosswalk reconstructed across Cedar street, on the north line of North Division street—$7 72.

Crosswalk repaired across Spring street, on the northerly side of South Division street—$5 49. Referred to Committee on Side and Cross Walks.

In the New Territory:

Stone culvert reconstructed across Steele street, on the easterly side of Main street—$15 00.

Bridge repaired across Cazenovia Creek on the road leading from the Aurora Plank road to Martin's Corners—$30 95.

Wood culvert repaired across Dearborn street, between Farmer and Austin Streets—$13 45.

Wood culvert repaired across Forest Avenue on the westerly side of Delevan street—$4 79.

Wood culvert repaired across North Adam street, on the southeasterly side of California street—$3 93.

Wood culvert repaired across Tenth street on the northwest side of Massachusetts street—$6 25.

Wood culvert repaired across Tenth street on the southeast side of Massachusetts street—$5 23.

Culvert repaired across Niagara street between Austin and Farmer streets—$13 46.

Culvert repaired across North Washington street on the south side of Bird avenue—$5 83

Culvert constructed across Rogers street 51 feet southerly of Butler street—$5 66.

Culvert reconstructed across Summer street on the easterly side of Rogers street—$7 99.

Culvert repaired across Forest Avenue between North Washington and DeWitt streets—$6 05.

Gutter opened on the north side of Ferry street between Niagara street and a point 250 feet easterly of North Jefferson street—$15 00.

Bridge repaired across William street between Lockwood street and the New York Central Railroad—$9 75.

Culvert repaired abross Chenango street on the northwesterly side of Rhode Island street—$6 00.

J. L. WATERS, Street Commissioner.

Referred to the Committee on New Territory.

FURTHER FROM THE STREET COMMISSIONER.

GENTLEMEN:—Mr. Adam M. Deihl asks for a payment to apply on his contract for constructing a wood bridge with stone abutments across Scajaquada Creek on Puffer street.

Amount of said contract is $500.

Amount paid on the same is nothing.

Amount of work done on the same is $250.

Amount proposed to be paid at this date is $150.

And the undersigned respectfully recommend that orders be drawn on the local fund for said bridge, in favor of said Deihl, for the said sum of $150, to apply on contract.

L. J. WATERS, Street Commissioner.

Filed and order directed to be drawn.

The Street Commissioner also reported the amount due to the employees in his office for services in the month of June. Also the amount due to the keeper of the Court House Park for services in the month of May. Filed and orders directed to be drawn.

FROM THE CITY SURVEYOR.

In compliance with your order of June 12th, I submit the following estimate of the materials necessary to repair the abutments and bridge over Cazenovia Creek on the Cazenovia Road, naming the quantities of new material required, also the amount of the old materials suitable to be used.

I have also prepared for the Street Commissioner a specification in detail for the repairs of the bridge as contemplated in this report.

SUPERSTRUCTURE.

Old Timber that can be used including roadway plank, ft	13,032
New timber required,	2,834
Total amount in bridge, ft B. M.,	15,866
Old iron that can be used, lbs,	993
New iron and spikes required, lbs	349
Total amount of iron in superstructure, lbs	1,342

SOUTH ABUTMENT.

The south abutment will have to be taken up and reframed, and planked on the front and rear, and will require the following new materials:

Timber, ft B. M.	2,019
Spikes, lbs	50

NORTH ABUTMENTS.

The north abutment will also have to be taken up, and reframed and planked on the rear, and part of the face requiring:

New Timber, ft B. M	1,455
Spikes, lbs	40

Some protection is absolutly required for the the southeast corner of the bridge for which I would recommend the building of a cribwork, 20 feet long and 10 feet high, filled with stone requiring the following quantities of new materials:

Timber, ft B. M.	5,500
Stone, cubic yards,	80

The completion of the repairs as proposed in this report, will, in my opinion, make both the abutments and superstructure perfectly secure for the next ten years.

Yours Respectfully,

PETER EMSLIE, City Surveyor.

Referred to Committee on New Territory.

FURTHER FROM THE CITY SURVEYOR.

In compliance with your order of June 12th, I submit herewith the following estimate of the qualities and cost of the work necessary to excavate Wilkeson Slip from the Erie Canal to the west line of Jackson street, and to build suitable docking on both sides and at the end, as shown by the annexed plan.

The slip is 33 feet wide and 635 feet long, and it will be necessary to excavate 10 feet on each side of it, for the purpose of giving room to secure the banks with a proper crib work.

Earth excavation... 12,913 yds at 15 cents	$1,936 95
Crib timber 472,368 B m at $12	5,668,42
Lose stone in cribs. 2,593 yds at 75 cents	1,899 75
Iron rag bolts 19,152 lbs at 7 cents	1,340 64
Total cost	$10,845 76

Respectfully yours,

PETER EMSLIE, City Surveyor.

Referred to Committee on Sanitary Measures, together with the City Attorney.

FURTHER FROM THE CITY SURVEYOR.

In the execution of your order of June 12th, for an estimate of the quantities of work necessary to grade and pave Huron street, I find that the grade of Huron street was established March 20th, 1835, as follows:

Beginning at the adopted grade of Delaware street and extending westerly to Morgan street half foot below the present surface, and falling from Delaware one foot, from thence to the adopted grade of Niagara street.

As the above is very indefinite, I submit herewith the following grade for your consideration.

Beginning at the intersection of the centre line of Huron street, with the west line of Delaware street at an elevation of 31.40 feet above the base line of levels. Thence westerly along said centre line of Huron street, falling 0.67 feet per 100 feet for a distance of 360 feet to the east curb line of Morgan street. Thence level for a distance of 42 feet to the west curb line of Morgan street. Thence falling 1.27 feet per 100 feet for a distance of 197 feet to the east curb line of Ninth street. Thence level for a distance of 54 feet to the west curb line of Ninth street. Thence falling 0.85 feet per 100 feet for a distance of 441 feet to the easterly line of Niagara street at an elevation 22 75 feet above the base line of levels.

The above grade as recommended conforms with the present paving of Delaware, Morgan, Ninth and Niagara streets.

The distance from the west curb line of Morgan street to the New York State Reservation line is 345 feet. Morgan street is paved however to its west line, where it crosses Huron street, which will leave the distance to be paved 333 feet.

The following quantities of work will be required to grade and pave Huron street, 36 feet wide, according to the grade I have recommended:

Earth excavation, cubic yards, 1,404.

Paving, square feet, 12,798.

Curbing, lineal feet, 660.

Crosswalk on north side of Huron across Ninth street, 1.

PETER EMSLIE, City Surveyor.

Referred to the Committee on Streets.

The City Surveyor also reported the amount due to the employees in his office for services in the month of June. Filed and orders directed to be drawn.

FROM THE SUPERINTENDENT OF SCHOOLS.

GENTLEMEN:—As the season when the contract for wood for the Public Schools should be made, has arrived, I suggest that your honorable body take the usual action on the subject.

SANFORD B. HUNT,
Superintendent of Schools.

Referred to the Committee on Schools.

The City Assessors reported the amount which will be due on the first proximo, to the Clerk employed in their office, for services in month of June. Filed and order directed to be drawn.

The City Treasurer reported the amounts which will be due on the first proximo, to the employees in his office, for services in the month of June. Filed and orders directed to be drawn.

The Receiver of Taxes reported the amounts which will be due on the first proximo, to the employees in his office, for services in the month of June. Filed and orders directed to be drawn.

FROM THE FIRE MARSHAL.

GENTLEMEN:—On the 7th inst., a fire occurred in a building owned and occupied by James Davis on Niagara street, near Hudson:

Damage done to building, ... $450 00
Insured, ... 300 00

On the 9th inst., a fire occurred at 201 Main street, in a block occupied by J. F. Hill & Co., whose stock consisted of books, papers, jewelry, etc.:

Damage to building, (fully insured) $325 00
Damage to stock, ... 700 00
Insured, ... 1500 00

The evidence in both cases is herewith submitted:

Both of the above fires were without doubt caused by incendiaries.

Respectfully submitted,
D. KISSOCK, Fire Marshal.

Received and placed on file.

The Fire Marshal also reported the amounts which will be due on the first proximo, to the several employees of the Fire Department, for services in the month of June. Filed and orders directed to be drawn.

The City Clerk reported the amounts due to the Messenger and Sergeant at-Arms to the Council, for services to this date; also the amount which will be due on the first proximo, to the employees in his office, for services in the month of June; also amount which will be due on the first proximo, to the City Scavenger, for services in month of June. Filed and orders directed to be drawn.

The City Clerk reported that time for the consideration of, and the hearing of parties interested in Assessment Roll No. 2397, for repairing and maintaing the public well and pump at the corner of Sycamore and Pratt streets; amount $262, had been fixed for Monday, June 17th, 1861, but in consequence of the failure of the Council to meet on that day, it would be necessary to take some further action in the matter.

Ald. Adams moved that the time for the consideration of said Roll, and the hearing of parties interested therein, be postponed until, and fixed for Monday, July 15th, 1861, as 2 o'clock P. M. Carried.

The City Clerk also reported that the time for the consideration of Assessment Roll No. 2398, for widening, straightening, and enlarging Buffalo Creek at the toll bridge on Ohio street, by excavating a channel on the northerly side of said creek: amount $5,935, had been postponed until Monday, June 10th, 1861, but in consequence of the failure of the Council to meet on that day, it would be necessary to take some further action in the matter.

Ald. Palmer moved that the consideration of said Roll be postponed until Monday, July 22d, 1861, at 2 o'clock P. M., and that the subject matter of said Roll be referred to the Committee on Streets. Carried.

Assessment Roll No. 2376, for the purpose of paying the just compensation awarded to the person or persons owning or having an interest in the land and property taken to lay out Carlton street, from the easterly line of Main street to the northwesterly line of Genesee street, together with the costs and expenses of ascertainment—amount $3,573 67—the time for the further consideration of which, and of the hearing of parties interested therein, had been postponed until to day, was taken up and the further consideration thereof postponed until Monday, July 22d, 1861.

A communication was received from the Chief Engineer of the Fire Department, asking leave of absence from the city for a few days.

Filed and leave of absence for five days granted.

The written resignation of O. C. Houghton, of the office of Commissioner of Deeds, was presented.

Filed and resignation accepted.

Whereupon, Ald Felton offered the following:

Resolved, That Ludger D. La Reau be, and hereby is, appointed a Commissioner of Deeds, in place of O. C. Houghton, resigned.

Ald. Wheeler moved to refer said resolution to the Committee on Schools. Lost.

And said resolution was then adopted.

The following communication was received:

BUFFALO, 24th June, 1861.

GENTLEMEN—To prevent any misunderstanding in reference to my application for a lease of the ferry on this side of the Niagara River, I beg to state that the application is for a lease for the term of ten years, on the same terms as the lease awarded me on the Canada side.

Respectfully yours,

WILLIAM WALLACE.

Referred to the Committee on Wharves, Harbors and Ferries.

PETITIONS.

Of T. Planner, for a declaration of sale on lot on south side of Eagle street, 57 feet west of Jefferson street, 30 by 127 feet.

Of Wm. P. Fisher, for do on lot on Seneca street, 110 feet east of Michigan street, 22 by 82 feet.

Of Samuel B. Hard, to have tax sale cancelled. Referred to Committee on Finance.

Of Charles Pope and others, for a sewer in Delaware Place.

Of Martin Gleisner and others, for a sewer in Hickory street. Referred to Committee on Sewers.

Of Wm. H. Peabody, for permission to construct a cross walk across Main street, near South Division street. Referred to Committee on Side and Cross Walks.

Of D. N. Clark, to have wooden shed on west side of Pearl street, at about 200 feet north of Virginia street, removed.

Of C. Palmer, for permission to erect frame dwelling on the easterly side of Ninth street, 100 feet south of Hudson street.

Of Wm. J. Lavery, for permission to raise wooden building at No. 176 Franklin street.

Of J. P. Munschaun, for permission to erect wooden addition to brick shop on east side of Main street, north of Huron street.

Of C. Bartholomew, for permission to erect wooden kitchen on the east side of Burwell place.

Of A. J. Sutor and others, to have nuisance abated, occasioned by Agricultural Works on Michigan street, between Tupper and Goodell streets.

Of Wm. Taylor, for extension of time to complete leather hose. Referred to Committee on Fire.

Of sundry persons to have Elizabeth Guise released from the Erie County Penitentiary.

Of same to have John Clark released from the Erie County Penitentiary.

Of J. B. Shumway and Hugh Boyd to have action for arresting and imprisoning B. Logan defended at the expense of the city. Referred to Committee on Police.

Of George Howard and others to have a lamp placed on east side of Elm street at corner of Alley near Swan street. Referred to Committee on Public Lamps.

Of Frederick Sour for license to sell fresh meat on Sixth street. Referred to Committee on License.

Of H. W. Rogers and others to have Vermont street reduced to a four rod street.

Of sundry persons to have cistern and pump constructed at the corner of East and Bird streets. Of J. A. Bridge and others to have Downing street made. Referred to Committee on New Territory.

Petition of Thomas Aheam to have a judgment of $29 50, obtained against him on the 24th day of June, 1861, before C. A. Waldron, J. P., for a violation of the City ordinances, by carting without a license, cancelled and discharged.

Ald. Hanovan moved that the City Attorney be directed to remit and cancel the said judgment upon the payment of the costs of the suit by said Thomas Aheam. Carried—ayes 19, noes 0.

Petition of the New York Central Railroad Company for permission to erect an open shed on the southeast corner of Ohio and Michigan streets.

Ald. Jones moved that the prayer of the said petition be granted. Lost for want of a unanimous vote. Ayes, 15; Noes, 3.

Ald. Jones then moved to reconsider the last vote taken. Carried.

The said petition was then referred to the Committee on Fire.

Petition of Ira Lewis and others, for the release of Nancy Doe from confinement in the Erie County Penitentiary.

Ald. Mills moved that the prayer of said petition be granted. Carried. Ayes, 19; Noes, 0.

Petition of H. S. Cunningham, for the release of Elizabeth Williams from confinement in the Erie County Penetentiary.

Ald Swartz moved that the prayer of the said petition be granted. Carried. Ayes, 19; Noes, 0.

Petition of E. Madden and others, for the release of Mary Smith from confinement in Erie County Penetentiary.

Ald. Mills moved that the prayer of the said petition be granted. Carried. Ayes, 19; Noes, 0.

REMONSTRANCES.

Of C. K. Marshall and others, against the removal of E. T. Benedict from the principalship of Public School No. 5. Referred to Committee on Schools.

Of Widow and Heirs of B. Fowler, against paving Franklin street, from Niagara to Chippewa street.

Of B. Toles and others, against same. Referred to Committee on Streets.

Of E. D. Loveridge, against constructing sewer in Delaware Place.

Of Elizabeth Read, against same. Referred to Committee on Sewers.

Of William Clark and others, against erecting wooden building on Perry street, 275 feet east of Chicago street. Referred to Committee on Fire.

ACCOUNTS REFERRED.

Helbrook, Dee & Co., for flagstuff for Central School.

Edwin Hurlbut, for wood for Schools.

John Thomas, for repairs at School House No. 26.

Breed, Butler & Co., for books and stationery for School Department.

D. C. Weed & Co., for sundries for School Department.

Wesley Emmons, for work and material at sundry Schools.

C. N. Otis, for plans etc., School No. 15.

Valentine Bibus, for sawing wood for School District Nos. 12 and 31. Referred to Committee on Schools.

Earnest Neitmann, for reconstructing wood culvert across Carlton street, on the westerly side of Mulberry street.

Geo. Miller, for repairing gutter on the southeasterly side of Genesee street, between Ash and Spruce streets.—Referred to Committee on Streets.

O. Butler, Jr., for repairing sewer in the Alley in rear of Bloomer's Hotel.

Same, for repairing receiver north east corner of Maryland and Tenth streets.

Same, for repairing sewer and receiver north east corner of Genesee and Spruce streets.

George Miller, for reparing sewer and receiver at north west corner of Batavia and Elm streets.

John Swartz, for repairing sewer and received on south west corner of Elm street and Burton Alley. Referred to Committee on Sewers.

W. I. Williams, for reconstructing sidewalk on south east side of Lloyd street, between Canal and Prime streets.

Same, for repairing sidewalk on west side of Michigan, street, between Sycamore and Batavia streets.

Same, for repairing sidewalk on the south westerly side of Palmer street, between Hudson and Maryland streets.

L. Williams, for repairing plank crosswalk across North Division street on westerly side of Spring street.

Same, for repairing plank crosswalk across Spring street, northerly side of South Division street.

Same, for repairing sidewalk on southerly side of Eagle street, between Spring and Jefferson streets.

Same, for reconstructing crosswalk across Cedar street, north side of North Division street.

L. Williams, for reconstructing crosswalk across Spring street, southerly side of North Division street.

Same for constructing crosswalk across Clinton street, easterly side of Smith street.

Geo. Miller, for repairing crosswalk across South Division street, westerly side of Chesnut street.

Same for same across Swan street, westerly side of Elm street.

Whitmore, Rathbun & Co, for repairing sidewalk on southerly side of Ohio street, between Main and Washington streets. Referred to Committee on Side and Crosswalks.

D. C. Weed & Co., for sundries for Fire Department.

Jacob Gerlach, for setting glass, &c., for Fire Department.

Lewis Mang, for hay for Fire Department.

William Taylor, for repairing hose for Fire Department.—Referred to Committee on Fire.

Buffalo Water Works Company, for supply of water for quarter ending June 30th. Referred to Committee on Water.

Breed, Butler & Co, (11) for sundries for City offices.

D. C. Weed & Co, (8) for sundries for City offices.

John Drew, for services as Inspector 12th Ward.

Wm. M. Holley, for services as toll clerk.

Cortland Lake, for services as Crier to Superior Court.—Referred to Committee on Claims.

D. S. Reynolds, for commitments to Penitentiary.

Geo. B. Mitchell, for commitments to Penitentiary.

Benjamin Toles for commitments to Penitentiary.

Geo. Orr, for services as special Policeman.

Breed, Butler & Co., for stationery for Chief Police Office.

R. Buchanan, for setting glass at Police Stations. Referred to Committee on Police.

D. C. Weed & Co., for sundries for Public Grounds.

H. C Oliver, for Ice Tongs. Referred to Committee on Public Grounds.

William Farmer, jr., for repairing wood culvert across North Washington street, south side of Bird avenue.

Same, for same across North Adam street, southeasterly side of California street.

Same, for same across Forest avenue between North Washington and De Witt streets.

Same, for same across Tenth street, on southeasterly side of Massachusetts street.

Same, for same across Tenth street, on northwesterly side of Massachusetts street.

Same, for same across Niagara street, between Austin and Farmer street.

Same, for reconstructing wood culvert across Summer street, on easterly side of Rogers street.

Same, for constructing wood culvert across Rogers street, south of Butler street.

Same, for repairing bridge on School street, between Twelfth and Albany streets.

E. F. Blackmar, for repairing wood culvert across Chenango street, northwesterly side of Rhode Island street.

A. D. Morton, for repairing wood bridge across William street, between Lockwood street and New York Central Railroad track.

Patrick Boyle, for opening gutter north side Ferry street, between Niagara street and North Jefferson street. Referred to Committee on New Territory.

REPORTS OF COMMITTEES.

Ald. Howard from the Committee on Finance, reported in favor of the adoption of the following resolutions:

That the prayer of the petition of John Booth and Wm. Harris, asking to have an assessment for the expense of altering the grade of Elk street, upon the respective lots, cancelled and discharged, be denied, for the reason that the same cannot be granted without charging upon the General Fund of the city the payment of orders for a local improvemet. Adopted.

Ald. Scheu moved that the Council do now adjourn. Lost.

That the prayer of the petition of James Sullivan, in which he asks to have the sum of $61 96 paid by him for an assessment for the expense of the alteration of grade of Elk street, refunded to him, be denied.

Ald. Hannovan moved to refer said report to the City Attorney. Lost.

And the report was then adopted. Ayes, 12; Noes, 4.

That upon filing the petition of Emily White (with the proofs accompanying same,) with the Comptroller, in

which said White asks for a declaration of sale on certificate of tax sale No. 3,484 of the sale of June 23d, 1858, of lot on the north west side of Pennsylvania street, part of block 89, lying 40 feet south west of Fourteenth street, being 40 feet front by 130 feet deep, the said Comptroller execute and deliver to said Emily White a declaration of sale thereon, in the form prescribed by the Charter.—Adopted.

That upon filing the petition of Wm. P. Fisher, together with the accompanying proofs, with the Comptroller, in which said Fisher asks for a declaration of sale on certificate of tax sale No. 2418, of the sale of June 23, 1858, of lot on the north side of Riley street, part of farm lot No 34, lying on the west corner of Michigan street, being 32 feet front by 106 feet deep, the said Comptroller execute and deliver to said Fisher a declaration of sale thereon, in the form prescribed by the Charter. Adopted.

That the petition of T. Pinner, asking for a declaration of sale on tax certificate No. 1237, of sale of June 23d, 1858, be, and the same is, hereby denied, and that said Pinner have leave to withdraw his petition. Adopted

Ald. Mills, by unanimous consent, offered the following resolution:

That the City Clerk procure a copy of the new City Directory for each of the City Offices and Police Stations, and report the expense to this Council. Adopted. Ayes, 10; Noes, 6.

Ald. Bemis, by unanimous consent, offered the following:

Whereas, The 4th Regiment of Volunteers from the State of Michigan, en route for the seat of war, will arrive in this city, via lake propellers, on Wednesday next, P. M. And, deeming it proper that the citizens of Buffalo should cordially welcome to our city the loyal sons of Michigan, composing said Regiment, and extend to them such hospitality as may be meet and proper for the occasion. Therefore,

Resolved, That the Common Council of the City of Buffalo do hereby earnestly request the Committee having in charge the fund for the defence of the Federal Union, to make such arrangements for the reception of the 4th Regiment of Volunteers, from the State of Michigan, as said Committee may deem proper, and tender them an escort to the Buffalo and New York & Erie Railroad Depot, and prepare for them a collation, to be served at the Depot grounds.

Resolved, That the Mayor be, and he is hereby requested to invite the several military organizations of this city, to join in the escort of the 4th Regiment Michigan Volunteers, on Wednesday next, P. M. Adopted.

Ald. Mills moved that the Council do now adjourn to meet next Thursday afternoon at two o'clock. Lost; Ayes 8, Noes 8.

Ald. Howard, from the Committee on Finance, also reported in favor of the adoption of the following resolutions:

That the petition of Alva Brown, asking for a declaration of sale on certificate of Tax Sale, No. 2738, of sale of June 23d, 1858, be and the same is hereby denied, and that said Brown have leave to withdraw such petition. Adopted.

That upon filing the petition of Wm. P. Fisher, together with the accompanying proofs with the Comptroller, in which the said Fisher asks for a declaration of sale on certificate of tax sale No. 4323, of the sale of June 23, 1858, on lot on the north side of Elk street, part of lot No. 88, lying 776 feet east of Smith street, being 222 feet front by 912 feet deep, east line, the said Comptroller execute and deliver to said Fisher a declaration of sale on said certificate in the form prescribed by the City Charter. Adopted.

That upon filing the petition of Emily White with the accompanying proofs, with the Comptroller, in which the said White asks for a declaration of sale on certificate of tax sale No. 921, of the sale of June 23, 1858, on lot on the south side of North Division street, part of outer lot No. 104, lying 72 feet east of Cedar street, being 42 feet front by 110 feet deep, the said Comptroller execute and deliver to the said White a declaration of sale on said certificate, in the form prescribed by the city Charter. Adopted.

That the City Treasurer be and he is hereby directed to compute the amount of interest properly belonging to the moneys which have been from time to time credited to the Grosvenor Library Fund, on his books, at the same rate which the city has received from Banks for city deposits, and that he report the amount of such interest and principal to July 1, 1861, to the credit of such fund on his books. Adopted.

That orders be drawn on the General Fund, 1861, City Attorney and Legal Expense Department, as follows: In favor of O. C. Wyckoff for $217 08, for vaccinating in 1860; Michael Clor as assignee of F. Schickendantz for $31 06, for keeping Pest House in Dec., 1860; Adam Karn for $42 47, for removing dead animals from streets in Dec., 1860—in full of their respective accounts. Adopted.

That the petition of Lorenzo K. Haddock, asking for a return to the city of certain certificates of tax sales of lands on Marilla street, be referred to the City Attorney for his opinion as to the legality of the assessment for opening Marilla street, and also the legality of said tax sales, and whether in his opinion the said street is a legally laid out street, and if not, wherein it is defective, and what steps are necessary on the part of this Council to render it legal, and whether in his opinion there is a legal obligation on the part of the city to refund to the the petitioner the amount of such scrip. Adopted.

That upon filing the petition of T. Pinner together with the accompanying proofs with the Comptroller, in which the said Pinner asks for a declaration of sale on certificate of tax sale No. 2,508, of the sale of May 27, 1857, on lot on the the south east side of Maryland st., part of block No. 46, lying 25 feet south west of Tenth street, 25 feet front by 116 feet deep, the said Comptroller execute and deliver to the said Pinner a declaration of sale on said certificate in the form prescribed by the City Charter. Adopted.

That upon filing the petition of Caroline Norton, and all proof accompanying the same, with the Comptroller, and the execution by the petitioner of a bond with satisfactory sureties conditioned to indemnify the City against all cost or damage, or claim for such cost or damage, by reason of the cancelling of the tax sale hereinafter mentioned, the said Comptroller be and he is hereby authorized and directed to cancel off record the Tax Sale of February 1st, 1851, of lot on east side of Blossom street, south corner of Huron street, sold to city for $40 96, and assigned to Caroline Norton March 21st, 1856. Adopted.

That upon filing the petition of Christian G. Guenther, together with the accompanying proofs with the Comptroller, in which the said Guenther asks for a declaration of sale on certificate of tax sale No. 1169, of the sale of June 1st' 1859, on lot on the north side of Seneca street, part of farm lot No. 14, lying 165 feet west of Swan street, being 60 feet front to Swan street deep, the said Comptroller and execute and deliver to the said Guenther a declaration of sale on said certificate in the form prescribed by the City Charter. Adopted.

A call of the Roll was ordered, and a quorum not being present and answering to their names on such call, the President declared the Common Council adjourned to meet next Monday afternoon, July 1st, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk

MINUTES No. 24.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, July 1, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council, and Ald. Allen, Beckwith, Crowder, Dayton, Felton, Goembel, Grass, Hanovan, Howard, Jones, Mills, Palmer, Russell, Rutter, Savage, Scheu, Schwartz, Storck, Walsh, Wheeler and Yaw.

Absent—Ald. Adams, Brush, Dorr, and Pratt.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM THE MAYOR.

MAYOR'S OFFICE,
Buffalo, July 1, 1861.

GENTLEMEN:—I respectfully beg leave to represent to your honorable body that the release of prisoners from the Penitentiary, and the remission of fines—without proper investigations, is exceedingly detrimental to the public good.

At your last session three persons were released from the Penitentiary, simply upon the presentation of a petition and without any examination as the propriety of so doing. Persons have been released by your honorable body, who are unworthy of the clemency you have shown and in some instances have been returned in less than ten days to new imprisonment, occasioning increased expense to the city, and in a great measure discouraging the efforts of those whose duty it is to arrest and prevent the increase of crime.

In no instance should the pardoning power be exercised unless it meets with the concurrence of the committing Magistrate, or of the officer procuring the conviction. On behalf of the police authorities, I respectfully ask that all petitions asking for release of imprisonment or fines, be referred to proper committees for investigation.

Respectfully,
F. A. ALBERGER, Mayor.

Filed and subject matter referred to the Committee on Police.

FROM THE CITY ATTORNEY.

I hereby report that the appeal in the suit of Edward S. Warren and others against The City of Buffalo has been decided by the Court of Appeals against the City.

This action was brought to recover the amount awarded to the plaintiffs for land taken to widen Niagara street. I have a stipulation that no execution shall be issued on the judgment before next February. No assessment has ever been confirmed to pay this award; two assessments were made, but they were both annulled. I recommend that you immediately order an assessment for that purpose.

I also report that the appeal in the suit of The City of Buffalo against Orsamus H. Marshall, administrator, &c., of Jonathan Sidway, deceased, has been decided by the Court of Appeals in favor of the City.

I also report that the suits brought by Morris Helmes, Henry V. Soule, Valentine Vogle, and Patrick Lynn against the City have been tried and decided in favor of the City. These suits were brought to recover pay as policemen, from August 19, 1860, to January 4, 1861.

Respectfully submitted,
GEORGE WADSWORTH,
City Attorney.

Received and placed on file.

FROM THE STREET COMMISSIONER.

GENTLEMEN,—In compliance with your directions, the undersigned advertised for proposals to repair Niagara street, from the northerly line of Hamilton street to the centre line of Bird street. Also, from the centre line of Bird street ta Cornelius Creek, by planking a roadway therein, 8 feet wide, with oak plank 3 inches thick, or with pine plank, 4 inches thick, and have received the following:

	Oak plank 3 in. thick.	Pine plank 4 in. thick.
Wm. A. Bird, from the centre of Bird street to Cornelius Creek, per lineal foot	$0 45	$0 40
Wm. Farmer, Jr., and A. Carrey, from the northerly line of Hamilton street to the centre of Bird street, per lineal foot	0 62	0 56
Also from the centre of Bird street to Cornelius Creek, per lineal foot	0 52	0 48
Lauren Williams, from the northerly line of Hamilton street to Cornelius Creek, per lineal foot.	0 44	0 43
William I. Williams, from the northerly line of Hamilton street to Cornelius Creek, per lin. foot	0 55	0 54

All the proposals are for forming the carriage-way on a proper grade, and planking a roadway therein, in accordance with the specifications.

L. J. WATERS, Street Commissioner.

Referred to the Committee on New Territory.

FURTHER FROM THE STREET COMMISSIONER.

GENTLEMEN,—In compliance with your direction the undersigned advertised for proposals to construct a stone sidewalk, 4 feet wide, on the southerly side of Amherst street, between the westerly curb line in Dearborn street, and the sidewalk on the easterly side of Niagara street, and have received the following, to wit:

Whitmore, Rathbun & Co., per lineal foot, 50 cents.

James Howell's, per lineal foot, 49 cents.

L. J. WATERS, Street Commissioner.

Referred to Committee on New Territory.

FURTHER FROM THE STREET COMMISSIONER.

GENTLEMEN: In compliance with your directions, the undersigned advertised for proposals to repair the bridge across Cazenovia Creek on Cazenovia Road. Also for constructing a wood bridge across a ravine on Elk street, 286 feet easterly from Dole street, and have received the following, to wit:

FOR THE BRIDGE ON CAZENOVIA ROAD.

Abram S. Swartz, for the entire work.....$475 00
William I. Williams, " " " 595 00

FOR THE BRIDGE ON ELK STREET.

Lauren Williams, for the entire work.....$ 75 00
Abram S. Swartz, " " " 94 00
Oliver Kirkover, Christ Hussong and George Joslyn, for the entire work..... 175 00

L. J. WATERS, Street Commissioner.

Referred to Committee on New Territory.

The Street Commissioner also reported the amount due the keeper of the Court House Park for services in the month of June. Filed and order directed to be drawn.

FURTHER FROM THE STREET COMMISSIONER.

GENTLEMEN:—The State of New York is now constructing a bridge across the Main and Hamburgh Street Canal, on Louisiana street, and one of the abutments is to be in front of the mouth of the sewer in Louisiana street. The sewer must be extended about fifteen or twenty feet. Therefore, I recommend that an order be passed authorizing the extension of the sewer and connecting it with the abutment. The contractor for the bridge is now building the abutment, and the sewer can be extended through the same at this time with much less trouble and expense than after the bridge is completed. The expense will probably be about $25.

L. J. WATERS, Street Commissioner.

Referred to the Committee on Sewers.

The City Clerk reported that at a meeting of the Board of Health, held June 29th, 1861, the following accounts were presented, and by them audited and referred to the Council, that provision be made for their payment:

John Elliott, for services as Health Inspector for June, 1861,.....$45 00
Geo. J. Reinhardt, for same, ... 45 00

Orders directed to be drawn.

The City Clerk also reported that at the same meeting of the Board of Health, the following nuisances were referred to the Common Council, with a recommendation that the same be abated as hereinafter mentioned, viz:—

1. Lot on the northeast corner of Swan and Spring streets, being 44½ feet front on Swan street by 98 feet deep on Spring street. Nuisance consists of a privy vault full and running over. Recommend to abate by removing the contents of such vault.

2. Lot on the west side of Hickory street, 189 feet south of Sycamore street, being 50 feet front by 180 feet deep. Nuisance consists of——. Recommended to abate by——

3. Lot on the east side of Walnut street, 155 feet south of Sycamore street, being 27 feet front by 106 feet deep. Nuisance consists of——. Recommended to abate by——

4. Lot on the east side of Michigan street, 112 feet north of Carlton street, being 25 feet front by 100 feet deep. Nuisance consists of——. Recommended to abate by——

5. Lot on the east side of Michigan street, 125 feet north of Carlton street, being 25 feet front by 100 feet deep. Nuisance consists of——. Recommended to abate by——. Referred to the committee on Sanitary Measures.

The Chief of Police reported the pay roll of the Captains of Police, Clerk and Policemen for month of June, amount, $2,184 40. Also of sundry persons for cleaning Police Stations for month of June, amount, $30. Filed and orders directed to be drawn in favor of Captains of Police, Clerk and Policemen, and balance referred to committe on Police.

The Clerk of the markets reported the amounts due to the Porters of the several markets, for services in the month of June. Filed and orders directed to be drawn.

A communication was received from F. A. Alberger, chairman of the committee on celebration of the fourth of July, inviting the Council to take part in the procession to be had on the fourth of July next, and to co-operate with the committee in their endeavor to celebrate the day in a becoming manner. Filed and invitation accepted.

PETITIONS.

Of John H. Montgomery, to have personal tax cancelled. Referred to Committee on Finance.

Of Peter Messner, for permission to occupy the sidewalk in front of his shop on Ellicott street. Referred to Committee on Streets.

Of sundry persons, to have sidewalk constructed on the west side of Hermann street, between Genesee and North streets.

Of sundry persons, to have sidewalk constructed on the west side of Michigan street, 80 feet north of Vine street. Referred to Committee on Side and Crosswalks.

Of Geo. J. Hill, for permission to erect a wooden dwelling on Tenth street, between Carolina and Georgia streets.

Of E. B. Lyman, for permission to raise wooden building 1½ feet, on the southeast corner of Niagara and Morgan streets. Referred to Committee on Fire.

Of C. Geyer and others, for the release of Francis Funnell from the Erie County Penitentiary. Referred to Committee on Police.

Of John G. Deshler and others, to have Buffalo Creek dredged. Referred to Committee on Wharves, Harbors and Ferries.

Petition of Eliza Ryan, to have fine remitted for violating City Ordinances.

Ald. Beckwith moved that the prayer of the petition be granted.

Ald. Mills moved to refer the same to the Committee on Police. Carried.

Petition of sundry persons, for the release of Nellie Clark from confinement in the Erie County Penitentiary.

Ald. Mills moved that the prayer of the petition be granted.

Ald. Storck moved to refer the same to the Committee on Police. Carried.

Petition of Timothy Doyle, for license to peddle dry goods.

Petition of Henry Purcell, for same.

Whereupon, Ald. Hannovan offered the following:

Resolved, That the Common Council of the City of Buffalo authorize the Mayor to grant Henry Purcell and Timothy Doyle a pedlar's license to sell dry goods alone in the city of Buffalo on the payment of $5 each, by giving necessary bonds satisfactory to the Mayor.

Ald. Savage moved to refer the same to the Committee on License. Lost.

And the said resolution was then adopted.

Petitions of sundry persons for permission to work and grade Franklin street, from Allen to North streets, at their own expense.

Ald. Palmer offered the following:

Resolved, That the owners of land on Franklin street, between Allen and North street, have permission to work and grade said street, to the established grade, at their own expense, under the direction of the Street Commissioner. Adopted.

Petition of L. F. Bissell and others for permission to open Ellicott street sewer, at intersection of Carlton street, and to construct a sewer in the sidewalk on the north side of Carlton street at their own expense.

Ald. Felton moved that the prayer of the said petition be granted. The work to be done under the direction of the Street Commissioner. Carried.

ACCOUNTS REFERRED.

Phinney & Co., for sundries for Schools.

Breed, Butler & Co., for same.

J. M. Daniel, for wood for Public School No 4. Referred to Committee on Schools.

John Erb, for cleaning paved streets &c., in front of public grounds, for June 1861.

Barnhart Henry, for same.

Philip Shaw, for same.

Geo. Fisher, for same.

John Fisher, for same. Referred to Committee on streets.

John Wannop, for repairing sewer and receiver at the corner of the Market ground and Elk street.

O. Butler, Jr., for repairing sewer and receiver at northwest corner of Chicago and Exchange streets.

Same, for repairing receiver on the southerly side of Exchange street, at the easterly end of the bridge across Buffalo Creek.

John Wannop, for repairing sewer and receiver at the well on the northwest corner of Perry and Hayward streets.

Same, for repairing sewer and receiver at northwest corner of Elm and Sycamore streets.

Same, for repairing sewer and receiver at southwest corner of Pratt and Batavia streets. Referred to Committee on Sewers.

George Miller, for repairing crosswalk across Clinton street on the westerly side of Michigan street.

Same, for same, across Clinton street on the easterly side of Elm street. Referred to Committee on Side and Crosswalks.

Shepard Iron Works, for brass hose coupling.

William Barker, for sundries for Fire Department.

H. Kay, for pasturing horses for same.

Felthousen & Russell, for repairs, &c., for same.

Geo. Day, for plumbing, &c. for same.

Henry Swartz, for sundries for same.

W. I. Williams, (3,) for sundries for same.

Henry S. Riddle, for washing and rent of barn for same.

Thos. B. French, for repairs for same.

Clapp, Mathews & Waite, for printing for same.

Bangasser & Brother, for sundries for same. Referred to Committee on Fire.

Bangasser & Brother, for caps for hydrants. Referred to Committee on Water.

Mrs. D. Messer, for use of house for election in 12th Ward.

Mrs. Freidman, for same.

John Hoffman, for labor for Jubilee Water Works.

Alvis Ruff, for same.

John Woelfle, for sundries for same.

G. J. Woelfle, for services as Water Commissioner from April 1st to July 1st, 1861.

F. G. Pattison, for taking affidavits for Assessors.

Hardiker & Toy, for repairs to City Buildings.

Samuel Pearce, for awnings for City Buildings.

Clapp, Matthews & Waite, (6) for printing for various city officers.

A. M. Clapp & Co., for advertising tax sale. Referred to Committee on Claims.

Clapp, Matthews & Waite, for printing rules and oaths for Policemen.

Hardiker & Toy, for repairs at Police Station No. 2.

D. S. Reynolds, for commitments to Penitentiary. Referred to Committee on Police.

John Erb, for removing ashes from the cellars of the Mayor's office and the City Hall for June.

Thos. N. Warner, for sign boards for Court House Park. Referred to Committee on Public Grounds.

Buffalo Gas Light Co., for gas for public buildings, for quarter ending July 1, 1861.

Same, for gas for public lamps for June.

J. G. Turner, for lighting, &c., public lamps for June. Referred to Committee on Public Lamps.

Henry Harter, Jr., for repairing the pavement in Niagara street, at the north end of the bridge across the Scajaquada Creek. Referred to Committee on New Territory.

Samuel Green, for services as Keeper of Prospect Hill Parks for June. Referred to Special Committe on Prospect Hill Parks.

ACCOUNTS ALLOWED.

William Mensch, for removing dirt, &c., from paved streets in June—$266 67.

F. C. Schmelzer, for services as Street Inspector for June—$31 25.

John Drexler, for same—$31 25.

Jacob Sohn, for same—$31 25.

Chas. Broshart, for same—$31 25.

Jno. B. Sewell, for same—$31 25.

REPORTS OF COMMITTEES.

Ald. Howell, from the Committee on Finance, reported in favor of the adoption of the following resolution:

That an order be drawn on the local fund of school district No. 6, in favor of S. G. Bailey, for $20 28, to refund to him money paid, and interest thereon, for assignment to him of erroneous tax scrips Nos. 334, for $8 50, and 389, for $6 40, of the sale of April 24th, 1856, and that the Comptroller deliver such order upon the return and assignment to the city of said scrip. And that the resolution, contained in the report from the Committee on Finance, adopted August 14, 1860, directing an order for $15 95 to be drawn in favor of S. G. Bailey, to refund amount paid for assignment to him of two erroneous tax scrips of sale of April 24th, 1856, one being No. 334, for $8 50 and the other being No. 389, for $6 40, be, and the same is hereby rescinded, and the Comptroller is hereby directed to cancel the said order for $15 95. Adopted. Ayes, 21; Noes, 0.

That an order for $7 77 be drawn on the fund for well on the corner of Exchange and Washington streets, in favor of the Comptroller, and that he deposit the same with the City Treasurer, to the credit of the fund for a Sewer and Receiver, and repairing same at north-west corner of Exchange and Washington streets, and that he then notify Messrs. Marshall and Harvey, agents, that local order No. 1750, dated Sept. 26, 1854, will be paid on presentation to the City Treasury. Adopted.

That the petition of Wm. P. Fisher, asking for a declaration of sale on Tax Certificate No. 725, of the sale of June 23, 1858, be, and the same is hereby denied, and that said Fisher have leave to withdraw his petition. Adopted.

That the petition of William P. Fisher, asking for a declaration of sale on certificate of tax sale No 1,096 of the sale of June 23, 1858, be and the same is hereby denied, and that said Fisher have leave to withdraw such petition. Adopted.

That the prayer of the petition of Wm. P. Fisher, asking for a declaration of sale on tax certificate No. 3,420 of the sale of June 23, 1858, be and the same is hereby denied, and that said Fisher have leave to withdraw such papers. Adopted.

Ald. Wheeler, from the Committee on Schools, reported in favor of allowing the following accounts, and of drawing orders for the same:

Wesley Emmons, for work, &c., at Schools Nos. 8 and 6,	$89 75
Same for same at Nos. 10, 14 and 33,	61 72
Jane N. Dunn, for cleaning school house No. 30,	1 50
Hamlin & Mendsen, for carpet for school house No. 5,	7 18
Edwin Hulbert, for wood for schools,	91 01
Valentine Bibus, for sawing wood,	1 25
John Thomas, for repairs at school No. 26,	4 75
Holbrook, Dee & Co., for flag-stuff for Central School,	9 50
Wesley Emmons, for labor and materials for sundry schools,	93 72
D. C. Weed & Co., for sundries,	48 31
Breed, Butler & Co., for books and stationery, allowed at	23 49

—Adopted.

Also reported against allowing the account of James O'Brian for rent of building on Carroll street, from May 1st, 1860, to May 1st, 1861—amount, $250.

Ald. Hannovan moved to refer said report back to the Committee on Schools, together with the City Attorney. Lost.

And the report was adopted.—Ayes 13; Noes 9.

Ald. Palmer, from the Committee on Streets, reported in favor of the adoption of the following resolutions:

That the Street Commissioner be, and he is hereby directed to notify the President of the Buffalo and Hamburgh Turnpike company to remove their bridge over Buffalo Creek, at Ohio street, within 20 days; and if said bridge shall not be so removed within the time specified as aforesaid, then the Street Commissioner is hereby directed to remove the said bridge, and report to this Council. Adopted: Ayes, 21; Noes, 0.

That the grade of the alley running northerly from Mohawk street, between Main and Washington streets be, and the same is hereby established as follows, to wit: commencing at the intersection of the centre line of said alley with the northerly curb line of Mohawk street, at an elevation of 44 10-100 feet above the base line of levels, thence rising northerly along the said centre line 0 50-100 of a foot in the whole distance of 132 feet, to an elevation of 44 60-100 feet above the base line of levels, at the northerly end of said alley. Adopted: Ayes, 21; Noes, 0.

That it is hereby ordered that Delaware street be gravelled from Virginia street to Utica street, and the gutters cleaned on both sides of said Delaware street, between the above named points, the same to be done in accordance with the petition asking for the improvement. Referred back to the Committee on Streets.

Also in favor of allowing the following accounts, and of drawing orders for the same:

David Walker, Jr., for repairing wood culvert across Goodrich street, on the easterly side of Ellicott street, $2 88.

O. J. Green, County Clerk, for searches for the city, $73 75. Adopted.

Also, reported in favor of the adoption of following resolution:

That it is hereby ordered by the Common Council of the city of Buffalo that Franklin street be graded, and a carriageway paved therein, thirty-eight (38) feet wide, and curbing set on both sides of said carriageway, from the northeast line of Niagara street to the curb line on the southerly side of Chippewa street, and that crosswalks be constructed across said Franklin street on both sides of all streets crossing Franklin street, between the above named points.

Ald. Felton moved to amend said report by adding thereto the following:

And that, when an assessment shall be confirmed to defray the expense of the said work, the Street Commissioner contract with the lowest bidder for doing said work, in accordance with the proposals reported to this Council, in his report of the 12th of June, 1861.

Ald. Howard offered the following as a substitute for the report offered by Ald. Palmer, and the amendment offered by Ald. Felton:

Whereas, the present unhappy condition of our country has brought upon all its business interests and purusits, a most unprecedented prostration and depression, to a

great extent depriving almost all classes in the entire land of their usual means and resources of living and defraying ordinarily accruing pecuniary obligations.

Whereas, also, our State Legislature having properly taken action to raise a large amount of money, imperatively demanded by the present exigencies of the country, to be raised by a direct tax upon the people, which will increase the ordinary burden of taxation, upon this and all the communities of the State. And

Whereas, also, it is expected that the Congress of the nation, soon to be convened, will, from a necessity, which the people will cheerfully respond to, take measures to raise money which will largely add to those already heavy burdens of taxation ; therefore

Resolved, That at the present time it is not wise or judicious for this Council, unnecessarily to add to the burdens of taxation upon this city, already very onerous and soon to be made more so by causes beyond our control, by entering upon or undertaking local improvements not imperatively demanded by the health of the city, a proper regard for the preservation of existing works, or legitimate wants of the active business interests of our city.

Resolved, That the ordering of local improvements which contribute merely to the comfort or convenience of a few at the expense of property but illy able to bear the burdens of such improvements should not be made, and this Council hereby declare its determination to withhold the ordering of local improvements not, in their judgment, imperatively demanded, by the considerations named in the foregoing resolution, until such time as our city shall see some relief from some of the heavy taxation now imposed and to be imposed on them, by causes beyond the control of this Council.

Resolved, That the grading and paving of Franklin street, for reasons alluded to herein, should not be ordered at the present time.

Ald. Palmer moved to refer the whole subject back to the Committe on Streets.

Ald. Beckwith raised a point of order, that as the petition asking for said improvement also asks that the work be awarded to a certain party, at a stated sum, the Council had no right to act upon such petition.

The Chair decided that the point of order was not well taken.

The motion of Ald. Palmer to refer back was then lost.

Ald. Felton was called to the Chair.

Ald. Bemis moved to amend the substitute offered by Ald. Howard by adding thereto the following :—

"Nor will the Council order any improvement except on the application of a majority of the persons liable to be taxed for the improvement asked."

Ald. Howard accepted the amendment.

The question was then taken on the adoption of the substitute offered by Ald. Howard as amended by the motion of Ald. Bemis, and the same was lost. Ayes 10; noes 12.

Ald. Howard then moved the adoption of the substitute as originally presented by him.

Ald. Bemis raised the point of order, that the substitute had already been voted upon and could not be renewed.

The Chair decided that the point of order was well taken.

Ald. Howard appealed from the decision of the Chair.

The decision of the Chair was sustained. Ayes 16; noes 5.

Ald. Beckwith moved to lay the whole subject on the table. Lost. Ayes 9. Noes 13.

Ald. Bemis then moved that the whole subject be postponed until the next meeting of the Council, to be taken up under order of Reports from Committee on Streets. Carried. Ayes 12. Noes 10.

The President resumed the Chair

Ald. Palmer, from the Committee on Sewers, reported in favor of allowing the following accounts and of drawing orders for the same :

John Swartz, for repairing sewer and receiver on the southwest corner of Elm street and Burton alley—$3 21.

O. Butler, Jr., for repairing receiver at the northeasterly corner of Maryland and Tenth streets—$1 81.

Same, for repairing sewer in the alley between Niagara and Eagle streets, in the rear of Bloomer's Hotel—$1 88. Adopted.

Ald. Swartz, from the Committee on Side and Cross Walks, reported in favor of the adoption of the following resolutions :

That the owners of land on the northerly side of Swan street, between Spring and Hickory streets, cause a sidewalk to be repaired in front of their respective lots, 4 feet wide, by substituting good new hemlock plank, where necessary, within 5 days, and if not done within that time, that the Street Commissioner cause the same to be done, at an expense not exceeding $12 00, and report.

Ald. Howard, moved to refer said report back to the Committee on Side and Crosswalks. Lost.

Ald. Howard then moved to amend said report so that owners be directed to do the same within five days after personal notice being served of the passage of this resolution. Carried.

And the report as amended was then adopted.

That the Street Commissioner cause the plank crosswalk across Spring street, on the southerly side of William street, to be repaired, at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause a plank crosswalk to be repaired across Spring street, on the northerly side of William street, at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause a plank crosswalk to be repaired across Madison street, on the southerly side of William street, at an expense not exceeding $8, and report. Adopted.

Also in favor of directing the City Assessors to make assessments as follows :

Assess $20 29 for repairing the plank sidewalk on the southwest side of Palmer street between Hudson and Maryland streets. Adopted.

Assess $26 40 for repairing the plank sidewalk on the west side of Michigan street between Sycamore and Batavia Streets. Adopted.

Also in favor of the adoption of the following resolutions :

That permission is hereby given to W. H. Peabody, to construct a stone crosswalk across Main street, from the curbing on the easterly side of Main street to the curbing on the westerly side of Main street, and commencing in front of said Peabody's store, at the north-east corner of

Main and South Division streets, providing said walk is not less than 6 feet wide, and laid under the direction of the Street Commissioner, with not more than two courses of sandstone, five inches thick, and without charges or expense to the city, and platform stone must be placed over the gutters at both ends of the walk. Adopted.

That the owners of land on the easterly side of Roos Alley, between Church alley (so-called) and Batavia st., cause a sidewalk to be constructed in front of their respective lots, two feet wide, of good hemlock plank, three inches thick, within 10 days, and if not done within that time, then the Street Commissioner cause the same to be done, at an expense not exceeding $50, and report.—Adopted.

Ald. Yaw, from the Committee on Fire, reported in favor of allowing the following accounts, and of drawing orders for the same:

Hamlin & Mendson, for sundries—$41 86.

T. M. Ottley, for oats—$43 20.

Chas. H. Keller, for labor—$1 50.

Lewis Mang, for hay—$7 69.

William Taylor, for repairing hose—$9 00.

Jacob Gerlach, for glazing, &c.—$3 56.

W. I. Williams, for repairing engine house No. 9, allowed at $35 86. Adopted.

Also in favor of the adoption of the following resolutions:

That permission be and is hereby granted to the New York Central Railroad Company, to erect an open shed on the south-east corner of Ohio and Michigan sts., to extent from Ohio street to the dock, such sheds to be 36 feet wide and 12 feet high, and to extend over the sidewalk on Michigan street to the curbing, such shed to be built under the direction of the Fire Marshal, and subject to the further order of this Council. Adopted. Ayes, 18; Noes, 0.

That permission be, and is hereby granted to Peter Schultz to erect a frame building, 22x30 feet, and two stories high, on Michigan street, about 150 feet south of Goodell street, the same to be built under the direction of the Fire Marshal, and subject to the further order of this Council. Adopted. Ayes, 18; Noes, 0.

Ald. Yaw. by unanimous consent, offered the following resolution:

Resolved, That orders be drawn on the General Fund for 4th of July Celebration, &c., for Seven Hundred and Fifty Dollars, in favor of Hon. F. A. Alberger, Chairman of Fourth of July Committee, to apply in payment of expenses of Fourth of July Celebration, and that the said Committee report expenditures. Adopted.

Ald. Jones, from the Committee on Water, reported in favor of allowing the following accounts, and of drawing orders for the same:

Klein & Dobinson. for repairing pump to well at the corner of Michigan and Batavia streets—$1 69.

Same, for same, at the corner of Hayward and Perry streets—$1 83.

Same, for same, on Elm street, between Clinton and Batavia streets—$4 13.

Same, for same, at the corner of Oak and Tupper streets—$2 50.

Same, for same, at the corner of Washington and Swan streets—$1 70.

Same, for same, at the corner of Exchange and Heacock streets—$8 13.

Same, for same, at the corner of South Division and Pine streets—$3 50.

Same, for same, at the corner of Oak and Clinton streets—$1 75.

Same, for same, at the corner of Church and Franklin streets—$2.

Same, for same, at the corner of Michigan and Eagle streets—$1 75.

Same, for same, on Pearl street, between Chippewa and Tupper streets—$3 25.

Same, for same, at the corner of Pennsylvania and Sixth streets—$2 25.

Same, for same, at the corner of Washington and Exchange streets—$1 50.

Same, for same, at the corner of Washington and Perry streets—$1 50. Adopted.

Also, in favor of the adoption of the following resolutions:

That the Street Commissioner cause the public well at the corner of Sixth and Carolina streets be repaired so as to prevent the water from the sewer passing into the well, at an expense not exceeding $29, and report. Referred back to the Committee on Water.

That the Street Commissioner cause a pump to be procured and placed in the well near the northwest corner of Michigan and Carlton streets, at an expense not exceeding $24. and report. Adopted.

Also, in favor of directing the City Assessors to make an assessment as follows: assess $311 for constructing and maintaining a public well and pump near the northwest corner of Michigan and Carlton streets. Adopted.

Also, in favor of allowing the following account and of drawing an order for the same:

Buffalo Water Works Company, for repairing hydrants and amount paid for same,.....$51 29

Adopted.

Ald. Dayton, from the Committee on Claims, reported in favor of allowing the following accounts, and of drawing orders for the same, viz:

Courtland Lake, for services as crier to the Superior Court, allowed at.....$121 50

D. C. Weed & Co., for sundries for Surveyor's Office, ... 1 94

Hamlin & Mendsen, for mats for Treasurer's Office, ... 2 75

Brush & Brothers, for wood for City Buildings,... 10 00

Hardiker & Toy, for plumbing, &c., at Mayor's Office, allowed at..... 19 90

Hamlin & Mendsen, papering, &c., at Mayor's Office, allowed at 7 86

Adopted.

By Ald. Mills,—The Committee on Police, to whom was referred the communication from the Comptroller and Chief of Police, of the 24th ult., in relation to settling with Edgar C. Dibble for damages done the building lately occupied by the city as Police Station No. 2, report that they have had the same under consideration, and are satisfied that the settlement as therein stated to have been made, is right, and the same should be carried out by the city, and we therefore report back said communication, and recommend that the recommendations therein contained be adopted, and that an order be drawn in favor of said Dibble, for $65, as recommended, in full payment for damages, &c., to said building. Adopted.

Also, in favor of allowing the following accounts, and of drawing orders for the same:

G. B. Mitchell, for commitments to Penitentiary—$22 88.

D. S. Reynolds, for same—$19 13.

Benj. Toles, for same—$24.

J. M. Daniel, for wood for Police Department—$11 50.

E. & B. Holmes, for sundries for Police Station No. 2—$58 67.

Gilman Cheney, for repairing Station No. 2—$64 61. Adopted.

Also, in favor of the adoption of the following resolution:

That the Superintendent of the Erie County Penitentiary be directed to release John Clark from confinement in said Penitentiary. Adopted. Ayes, 21; Noes, 0.

Ald. Storck, from the Committee on Markets, reported in favor of allowing the following accounts, and of drawing orders for same:

I. Holloway, for repairing floor in Washington Market—$13 88.

Case & Co., for sundries for Elk Street Market—$15 43.

Hibbard & Barnes, for repairing scale at Washington Market—$13. Adopted.

Ald. Allen, from the Committee on Wharves, Harbors and Ferries, reported in favor of the adoption of the following resolutions:

That the Committee on Wharves, Harbors and Ferries, and the City Clerk, be authorized to advertise for six days, in the official paper, for proposals to remove the sunken wreck in Buffalo Creek, nearly opposite the Buffalo Elevator, and report. Adopted.

That it is hereby ordered and determined by the Common Council of the City of Buffalo, that Buffalo Creek be dredged from the west end of the North Pier to the southerly side of South street, according to the plans and specifications now on file in the City Surveyor's office.

Ald. Allen, moved that said report be postponed for one week, to be taken up under order of reports from the Committee on Wharves, Harbors and Ferries.

Ald. Wheeler, moved as an amendment, to make the time four weeks instead of one week.

Ald. Allen, moved as an amendment to the amendment moved by Ald. Wheeler, to make the time two weeks.—Carried.

The motion of Ald. Wheeler as so amended was then carried.

And the original motion of Ald. Allen, as amended by the amended motion of Ald. Wheeler, postponing the said report for two weeks, was then carried.

The hour of 7 o'clock P. M. having arrived, the chair declared the Common Council adjourned, to meet next Monday afternoon, July 8, 1861, at 2 o'clock P. M.

O. F. PRESBREY, City Clerk.

MINUTES No. 25.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, July 8, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council, and Ald. Adams, Allen, Beckwith, Brush, Crowder, Dayton, Dorr, Felton, Goembel, Grass, Hanovan, Howard, Jones, Mills, Palmer, Rutter, Savage, Scheu, Schwartz, Wheeler and Yaw.

Absent—Ald. Pratt, Russell, Storck, and Walsh.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM THE MAYOR.

MAYOR'S OFFICE,
Buffalo, July 6, 1861.

To the Hon. Common Council:

GENTLEMEN: I herewith return, without approval, a resolution adopted on the 1st inst., directing an order to be drawn on the fund for well at the corner of Exchange and Washington streets, for $7 77, the same to be deposited to credit of fund for sewer and receiver at northwest corner of Exchange and Washington streets.

It seems, by the report of the Finance Committee, that the order directed to be drawn is intended to repair a deficiency in the fund for sewer and receiver, occasioned by an error of the then Treasurer, who charged an order drawn on the fund for the well above noted to the fund for sewer and receiver, thus preventing the payment of an order drawn on the fund for sewer and receiver, and on which order interest has accrued by reason of the error to the amount of $7 77, and which it is now proposed to pay from the well fund.

The Charter provides that "if on any assessment more money than is necessary for the purpose shall be raised, the excess shall be credited to the future repairs and maintenance of the improvement." The order, therefore, is illegal.

Your Honorable Body directed an order to be drawn, on the 1st inst, to pay O. J. Green, clerk, &c., for searches, on the City Attorney and Legal Expense Department. I have not approved of the same, and I recommend that an order be drawn, to pay said account, on the Tax Loan fund, as the expense of the searches will be reimbursed to said Tax Loan fund.

A resolution was adopted at your last session authorising me to issue a "pedlar's license to sell dry goods" in the city. I cannot learn that any such licenses have ever been issued, nor licenses to peddle goods of any kind. I respectfully beg to call your attention particularly to this subject, as I am under the impression the resolution was adopted without proper consideration. I very much doubt the propriety of making so radical a change in the manner of doing business in the city as the resolution would seem to imply that such was the intention of your honorable body. I have withheld the licenses, and await further advisement.

I enclose herewith the report of the Chief of Police for the quarter ending June 30th.

I have been served with a summons to appear before Charles Gardner, Justice of the Peace, on the 15th inst., to answer to the demand of Joseph Churchyard and Jacob Bensinger.

The Committee having in charge the fund for the defence of the Federal Union present herewith a statement of account in relation to the purchase of uniforms, &c., purchased for the Seventy-fourth Regiment, and sold to the State of New York. The total of such expenditures amount to fifteen thousand eight hundred twenty-seven 93-100 dollars ($15,827 93). The Committee have received from the Common Council to apply on this amount as follows: Orders drawn April 29th for $1652 75, $48 and $20; on the 20th of May, $13,016 87, and $577 50—in all $15,315 12, leaving a balance due the Committee of $512 81, for which they ask an order to be drawn in their favor.

The total of disbursements on this account as before stated is $15,827 93. The amount received from the State of New York, including premium on check payable in Albany, was $15,158, making a loss to the contingent fund of $669 93.

While the Committee regret even this small loss, they take pleasure in being able to state to your honorable body that the 21st Regiment, which received the uniforms, was the best clothed regiment which has left Elmira.

I recommend that the request of the Committee be complied with, and that an order be drawn in their favor, as requested.

Very Respectfully,

F. A. ALBERGER, Mayor.

Filed and subject matter of so much as relates to order directed to be drawn on fund for well, corner of Exchange and Washington streets, and order directed to be drawn in favor of O. J. Green, referred to Committee on Finance; of so much as relates to license to peddle dry goods referred to the Committee on License; of so much as relates to report of Chief of Police, referred to Committee on Police; of so much as relates to suit commenced by J. Churchyard and J. Bensinger, referred to the City Attorney with power to defend,—and an order directed

to be drawn in favor of F. A. Alberger, Chairman of the Committee on defence of Federal Union, for the amount recommended:

FROM THE CITY ATTORNEY.

I hereby report that I have examined the matters referred to me in regard to Marilla street, and am of opinion that the assessment for opening said street was illegal, that the tax sales founded upon such illegal assessment are void, and confer no rights upon the owners of such scrip, and that said street is not a "legally laid out street."

The following are my reasons for such conclusions:

It appears that the Commissioners of Highways of the town of Black Rock, in the year 1853, did attempt to lay out and establish said street, under the authority of the general statutes of the State, the street ran through wild lands, and the statutes at that time made no provision for compensation to the owners of such lands for the property taken to lay out the street, it has since been decided that the statute was unconstitutional, because it did not make such provision. No compensation was in fact made to the owners of the land taken for the street in question, and in a suit brought by such owners, or some of them, against the contractors who opened the road, for a trespass, it was decided by the Superior Court that premises in question were not a public highway. That suit was defended by the city, and I have no doubt of the correctness of the decision.

The Street not being a public highway, it follows of course, that an assessment for opening and working it as such, would be illegal, because the city has no power to make such improvemen's upon private property, but is limited in its action to actual highways, and if the assessment is illegal, then any sales based upon such assessment would also be illegal, for the same reasons.

The only way to make Marilla street a public highway, is to take the necessary proceedings under the Charter, to take and appropriate the property for that purpose, and pay the amount of the compensation awarded to the owners.

I do not think that any action of your honorable body can now legalize the assessment in question. The remaining question as to whether or not the city is legally liable to refund to the purchaser the amount paid by him for the tax scrip, is a much more difficult one. I have not yet been able to satisfy myself on this point; if the city is to stand upon its strict legal rights, and put out of sight all considerations of policy and effect upon the credit of its tax sales, I cannot advise you now that the city is legally bound to refund this money, nor can I say absolutely that it is not; the question is one concerning which there may be an honest difference of opinion, and I can see much difficulty in supporting either view. I have not been able to find any decision which covers the point, and in the absence of express authority I do not feel authorized to advise you that the city is liable, until the courts decide the question.

GEORGE WADSWORTH, City Attorney.

Filed and subject matter referred to Committee on Finance together with the City Attorney.

FROM THE STREET COMMISSIONER.

GENTLEMEN:—The undersigned beg leave to call your attention to the condition of Michigan street, between Dodge and North Hampton streets, the carriageway is impassable by reason of numerous holes, so deep, as to render it dangerous for vehicles, causing serious damage to that kind of property, and in justice to those whose business makes it necessary to pass that way, some action should be taken to repair the street, forthwith, and also, that the filling may be packed before the fall rains; therefore, I recommend that an order be passed to repair the carriageway by filling the holes with gravel or brickbats. An opportunity is offered for obtaining gravel that I consider more advantageous than may hereafter be offered for years, the expense will be about $40.

L. J. WATERS, Street Commissioner.

Referred to Committee on Streets.

FROM THE SUPERINTENDENT OF SCHOOLS AND CHAIRMAN OF THE COMMITTEE ON SCHOOLS.

GENTLEMEN:—In compliance with your directions we have advertised for proposals for building a Primary School building in School District No. 15, in accordance with the plans and specifications on file in the office of the Superintendent of Schools, and have received the following proposals:

Wesley Emmons and John Wild, $1,844; F. Fittel, Jr., $1,869 50; John Davis, $1,895; William I. Williams, $1,898 75; Thomas Scott, $1,924; T. B. Tilden, $1,925; Adam Urnlaufe, $1,938 26; N. H. Barnes, $2,050;—George Rickert, $2,050; Frederick Gerb, $2,199.

SANFORD B. HUNT.
Superintendent of Schools.

JOEL WHEELER, Chairman of Committee.

Referred to Committee on Schools.

FURTHER FROM THE SUPERINTENDENT OF SCHOOLS.

GENTLEMEN,—The school laws require the expenditure of the library money at some time prior to October 1st in each year. As the economical expenditure of the sum now in the city treasury will occupy some time, I respectfully recommend that the Superintendent of Schools, and the Chairman of the School Committee be authorized to apportion the money for the several districts, and to expend it for books, in accordance with the school laws.

Respectfully submitted,

SANFORD B. HUNT,
Superintendent of Schools.

Referred to the Committee on Schools.

The City Clerk reported the following account as having been audited by the Board of Health, and referred by them to the Council, that provision be made for its payment:

Wm. Miller, for keeping Pest House to June 29th, 1861, and sundries furnished patients, as certified by Health Physician, $33 44. Referred to Committee on Sanitary Measures.

PETITIONS.

Of John T. Tilley, for a declaration of sale on lot on the south side of Elk street, part of outer lot No. 63, lying 100 feet east of Moore street, being 21¼ feet front by 175 feet deep.

Of Same, for same on lot on southwest side of Palmer street, part of block No. 62, lying 141½ feet southeast of Hudson street, being 25 feet front by 100 feet deep.

Of same, for same, on lot on the east side of Franklin street, part of outer lots No. 66, 67, lying 116 feet north of Terrace street, being 80 feet front by 115 feet deep.

Of same, for same, on lot on northwest side of Sycamore street, part of outer lot No. 128, lying 25 feet north-

east of Spruce street, being 25 feet front by 75 feet deep.

Of Wm. P. Fisher, for same, on lot on northwest side of Main street, at south corner of Delevan avenue, being 632 44-100 feet front and in depth to Linwood avenue.—Referred to Committee on Finance.

Of D. N. Clark and others, to have Perry street laid out and continued from a point east of Hamburgh street, at or near the crossing of the Buffalo & State Line Railroad track, to the old city line. Referred to Committee on Streets.

Of Samuel Rathbone and others, to have a plank sidewalk constructed on the south side of Delaware Place, from Delaware street to a point 700 feet westerly, except where already constructed. Referred to the Committee on Side and Crosswalks.

Of James Davis, for permission to rebuild a wooden barn on Niagara street, between Hudson and Pennsylvania streets.

Of B. B. Clark, for permission to remove a frame building and erect a new one, on Niagara street, near Pennsylvania street. Referred to Committee on Fire.

Of John P. Diehl, for a fireman's certificate.

Of Lewis Sloteser, for same.

Of Henry S. Riddle, for same. Referred to Fire Commissioners with power.

Petition of sundry persons for the release of Mrs. Hannah Flinn from confinement in the Erie Co. Penitentiary.

Ald. Hanovan moved that the prayer of the petition be granted. Carried: Ayes, 19; Noes, 0.

Petition of Margaret Shuller, for the release of Joseph Shuller from confinement in the Erie Co. Penitentiary.

Ald. Felton moved that the prayer of the petition be granted. Carried: Ayes, 18; Noes, 0.

ACCOUNTS REFERRED.

Wesley Emmons, for labor and materials at sundry schools.

C. M. K. Paulison, for Cyclopedias for schools.

A. P. Yaw & Son, for brooms for schools. Referred to Committee on Schools.

O. Butler, Jr., for repairing sewer and receiver at southeast corner of Exchange and Chicago streets.

Churchyard & Benzinger, for constructing sewer in Emslie, Seneca, and Van Rensselaer streets (balance on contract.) Referred to Committee on Sewers.

L. Williams, for repairing sidewalk on the east side of Kinney's street, between Seneca and Folsom streets.

Same, for repairing sidewalk on the easterly side of Hickory street, between Batavia and William streets.

Same, for repairing crosswalk across Cedar street, on the northerly side of Clinton street.

Same, for reconstructing crosswalk across Carlton street, on the easterly side of Elm street. Referred to Committee on Side and Crosswalks.

A. P. Yaw & Son, for sundries for Fire Department.

Dickey & Marsh, for feed for same.

Philip Snyder, for hay for same.

Isaac Holloway, for repairing in front of engine house on Chicago street.

Same, for same on Virginia street. Referred to Committee on Fire.

Klein & Dobinson (11 accts.) for repairing pumps at sundry wells. Referred to Committee on Water.

Clapp, Matthews, and Waite, (2) for printing for City Offices.

Martin Taylor, (4) for sundries for same.

P. H. Bender, for publishing Council proceedings.

Wm. Ashman, for services in the Assessor's office.

R. Wheeler & Co., for Directories for city officers.

O. J. Green, for Searches and Recording Deeds.

Samuel Pearce, for awnings for city buildings. Referred to Committee on Claims.

George Drullard, for disbursements for Police Department.

James Van Valkenburgh, for commitments to the Pententiary. Referred to Committee on Police.

Adam M. Diehl, for repairing bridge on the Williamsville road, about 400 feet northerly from Scajaquada Creek.

Same, for repairing bridge across the Scajaquada Creek, on the Williamsville road. Referred to Committee on New Territory.

REPORTS OF COMMITTEES.

Ald. Howard, from the Committee on Finance, reported in favor of the adoption of the following resolutions:

That the resolution adopted June 24, 1861, by this council, as follows:

That the Mayor and Comptroller be and they are hereby authorized and directed to issue the bonds of the city to the amount of $80,000 to apply in part payment of the purchases made by the city at the tax sale held June 1st, 1861, such bonds to bear interest at the rate of 7 per cent per annum, payable semi-annually at the Comptroller's office in this city, redeemable in one, two, three, four and five years from their date, July 1st, 1861, in such portions as they may deem advisable; and the Comptroller is hereby authorized and directed to negotiate them at not less than par, the proceeds to be applied in part payment of land so purchased by said city at such tax sale, and that said Comptroller report to whom and at what rates said bonds are disposed of, be and the same is hereby rescinded. Adopted—Ayes, 20; Noes, 1.

That the Mayor and Comptroller be and they are hereby authorised and directed to issue the bonds of the city to the amount of $86,000, pursuant to section 80 of title 5 of the city charter, to borrow money, to apply in part payment of the purchases made by the city at the tax sale held June 1, 1861. Such bonds to bear interest at the rate of 7 per cent. per annum, and payable semi-annually; principal and interest to be payable at the office of Duncan, Sherman & Co. in the city of New York, redeemable in one, two, three, four and five years, from the 1st day of July, 1861, and bearing date on that day, in such portions as they may deem advisable, and the Comptroller is hereby directed to advertise in the city paper, and also in two daily papers published in the city of New York for at least three days, for proposals to take such bonds, and that he be authorised to negotiate such bonds at a price not less than par, the city reserving the right to accept or reject such bids as it shall deem for the interest of the city.

Adopted. Ayes, 20; Noes, 1.

Ald. Wheeler, from the Committee on Schools, reported in favor of the adoption of the following resolutions:

That the Superintendent of Schools and Chairman of the Committee on Schools be and they are hereby authorized to cause school house No. 7 to be re-shingled and refloored, the ceiling in the third department re-plastered, a sidewalk laid on the west side of the building and the

premises to be generally repaird, at an expense not exceeding $481 00. Adopted.

That the Superintendent of Schools and Chairman of the Committee on Schoo's be and they are hereby authorized to cause school house No. 8 to be repaired by placing iron gutters and new conductor pipes in the cornice, and by repairing the brick work and painting the doors in front, at an expense not to exceed $200 00. Adopted.

That the Superintendent of Schools and Chairman of the Committee on Schools be and they are hereby authorized to cause a new fence to be constructed on the north side of school lot No. 10, from front to rear, seven feet high, the privy vaults and sidewalks on said lot to be repaired, and inside blinds to be placed on the windows in each department of the school house thereon, at an expense not to exeeed $295 00. Adopted.

Ald. Palmer, from the Committee on Streets, called up the following report presented, at the last meeting of the Council, and laid upon the table for one week, in relation to grading and paving Franklin street.

That it is hereby ordered by the Common Council of the city of Buffalo that Franklin street be graded, and a carriageway paved therein, thirty-eight (38) feet wide, and curbing set on both sides of said carriageway, from the northeast line of Niagara street, to the curb line on the southerly side of Chippewa street, and that crosswalks be constructed across said Franklin street, on both sides of all streets crossing Franklin street, between the above named points.

Ald. Palmer, moved the adoption of said report.

Ald. Felton, moved to amend said report by adding thereto the following:

And that, when an assessment shall be confirmed to defray the expense of the said work, the Street Commissioner contract with the lowest bidder for doing said work, in accordance with the proposals reported to this Council, in his report of the 12th af June, 1861.

Ald. Palmer moved that parties interested be heard. Carried.

Hon. N. K. Hall then addressed the Council in favor of awarding the contract for doing said work to Isaac Holloway.

Ald. Adams moved the previous question, which was ordered. Ayes, 15; Noes, 7.

The question was then taken on the adoption of the amendment offered by Ald. Felton, and the same was carried. Ayes, 12; Noes, 10.

The question was then taken on the adoption of the report as amended, and the same was lost for want of a two-third vote. Ayes, 11; Noes, 10.

Ald. Brush, from the Committee on Sewers, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause the sewer and receiver at the southwest corner of Batavia and Elm streets to be repaired at an expense not exceeding $17, and report. Adopted.

That the Street Commissioner cause the sewer and receiver at the northwest corner of Eagle and Union streets to be repaired at an expense not exceeding $16, and report. Adopted.

That the Street Commissioner cause the sewer and receiver at the southwest corner of Seneca and Van Rensalear streets to be repaired at an expense not exceeding $14, and report. Adopted.

That it is hereby ordered that the mouth of the receiving sewer and the protection walls to the same be repaired at the intersection of the north line of Eagle street with the easterly line of Emslie street, and the apron leading to said sewer be paved and cemented and suitable piles driven to prevent the mouth of said sewer being stopped with ice and rubbish, and that the Street Commissioner is hereby authorized and directed to advertise 6 days in the city paper for proposals to do said work, and that he contract with the lowest responsible bidder to do the same. Lost for want of a two-third vote—Ayes, 14; Noes, 3.

Ald. Jones, from the Committee on Water, reported in favor of the adoption of the following resolution:

That the public well at the corner of Sixth and Carolina streets be repaired in a manner that will prevent the water from the sewer passing into the well, at an expense not exceeding $29, and that the Street Commissioner is hereby authorized and directed to cause the same to be done in a permanent manner, and report the expense.—Adopted.

Also in favor of allowing the following account, and of drawing orders for the same:

Buffalo Water Works Co. for supply of water for quarter ending June 30th		$5,000 00
Interest on cost of special extension, $1,535 07		
Less for receipts on same	480 09	1,054 98
		$6,054 98

Adopted.

Ald. Dayton, from the Committee on Claims, reported in favor of allowing the following accounts, and of drawing orders for the same:

A. M. Clapp & Co., for advertising Tax Sale—$482 40.

John Druer, for services as Inspector of Elections, 1st District, 12th Ward, at Special Election, charged $9, allowed at $7 50.

Wm. Post, for like service—$7 50.

Thos. J. Smith, for like service, 2d District—$7 50.

Wm. M. Holley, for services as Poll Clerk, 1st District, 12th Ward, charged $9, allowed at $7 50.

Mrs. D. Messer, for use of room for election purposes 1st District, 12th Ward, charged $18, allowed at $15.

Mrs. Friedman, for same, 2d District—$15.

G. J. Woelfle, for services as Water Commissioner for quarter ending June 30th—$25.

Alvis Ruff, for labor for Jubilee Water Works—$70.—Adopted.

Ald. Mills, from the Committee on Police, reported in favor of allowing the following accounts and of drawing orders for the same:

D S. Reynolds, for commitments to Penitentiary—$18 38.

R. Buchanan, for setting glass at Police Station No. 8—$1 50.

Ann Tracy, for cleaning Police Station No. 1—$10.
Bridget Holland, " " " " 2—$6
Ann Stroup, " " " " 3—$8.
John Foegan, " " " " 4—$6.
Adopted.

Ald. Beckwith was called to the Chair.

By Ald. Allen: The Committee on Wharves, Harbors and Ferries, report that they have had under consideration the subject of a Ferry across the Niagara River at

Black Rock, and after careful consideration, beg leave to offer the following, and would respectfully ask its adoption.

Resolved,—That the Council intend to grant the right and privilege of operating a steam ferry from the foot of Ferry, Albany or Breckenridge street, across the Niagara River, to some point on the Canada side, under the following terms, conditions and stipulations, the grant to be made to such party or parties who shall secure a ferry grant from the Corporation of Fort Erie, in Canada.

First,—The party obtaining the grant shall prepare suitable approaches to the said ferry, whether the same start from Ferry, Albany or Breckenridge street, on a grade not exceeding 7 feet in every 100 feet, said approach or road to be paved, macadamized, or planked, at least 25 feet in width, from Niagara street to the Ferry landing, in a good and substantial manner, and to be kept in good repair by the party obtaining the grant. The grantee shall pay to the Treasurer of the City of Buffalo, quarter yearly, at the rate of four hundred dollars per year from the commencement of the grant until the approach or road to the ferry are made in accordance with the foregoing stipulations, and when the approach is so completed, the aforesaid yearly rent of $400 per year shall be relinquished on the part of the City of Buffalo, and no further payments required except as hereinafter stipulated.

Second—The ferry-boat or boats used in the passage of persons and property over said river, under the provisions of this grant, shall be well arranged for the convenience of passengers and the transportation of property, and shall be at least 90 feet long and 30 feet wide over all, and shall be propelled by a good substantial engine of at least forty horse power.

Third—The person or persons receiving this grant will be required to run said ferry boat each day from sunrise to eight o'clock in the evening, from the first of April to the first of November, and until seven o'clock from the first of November to the first of April, making a round trip every thirty minutes, and thereafter every sixty minutes, until eleven o'clock, or until the last car on the Niagara street railroad shall have arrived at the crossing of the street from the foot of which said ferry shall start, and the passengers, if any, shall have reasonable time to arrive on board of said ferry-boat.

Fourth—The rates of ferriage shall not exceed the following named sums, viz:

For a 4 horse wagon and driver,	$0 50
" " 2 do do	35
" " 1 do do	20
" " horse and rider,	15
" Cattle, Horses and Mules,	10
" Hogs and Sheep,	3
" Each barrel bulk of freight,	5
" Passengers,	5
" all articles not enumerated, per barrel bulk,	5

Fifth—The ferry-boat shall furnish passengers, whenever they shall apply, with tickets over the ferry and back, and two Niagara Street Railroad tickets, for 16 cents; and shall sell ferry tickets in packages of twenty-five for one dollar.

Sixth—The Common Council hereby reserves the right to alter, amend or repeal the above act, and nothing in this grant contained shall interfere with any action of the Council in relation to the building of any bridge over said river.

Seventh—The time for which such grant shall be given by this Council, is ten years from the passage of this act.

Eigth—The proposed grantee or grantees before receiving a grant to operate said ferry, shall enter into a bond in the sum of five thousand dollars, with sureties to be approved by the Common Council and filed in the Comptroller's office, conditional to place upon such ferry a boat of the dimensions above described, by the first day of July, 1862, and to comply, in all respects, with the terms, conditions, and stipulations heretofore named and that may be hereafter prescribed under any right reserved by this grant by the Common Council.

Ninth—That the Mayor and City Attorney be authorized to grant such license in accordance with the forgoing rules, to the party or parties receiving a grant from the corporation of Fort Erie, in Canada.

Ald. Adams moved that said report be postponed until the next meeting of the Council, to be taken up under the order of reports from the Committee on Wharves, Harbors, and Ferries, and that the same be printed.

Ald. Howard moved that said report be referred back to the Committee, with instructions to report to this Council rules and regulations for the government of a ferry across Niagara River.

Ald. Howard moved to amend the motion made by him by adding thereto the following:

That the grant heretofore given to the late James Haggart and Absolom Bull to operate a ferry across Niagara River be and the same is hereby continued to said Bull, and the representative of the late James Haggart, until this Council shall make some other or different grant to the same or other parties for the same.

The Chair decided the amendment offered by Ald. Howard out of order.

The motion of Ald. Howard to refer said report back to the Committee on Wharves, Harbors, and Ferries, with instructions to report rules and regulations for the government of a Ferry across Niagara river was then carried.

Ald. Allen, from the Committee on Wharves, Harbors, and Ferries, reported in favor of the adoption of the following resolution:

That it is hereby ordered and determined by the Common Council of the City of Buffalo, that Buffalo Creek be dredged from the west end of the North Pier to the southerly side of South street, according to the plans and specifications now on file in the City Surveyor's office.

Ald. Bemis offered the following as a substitute for the resolvtion contained in said report:

That Buffalo Creek be dredged where necessary, from the end of the North Pier to South street, under the direction of the City Surveyor and Harbor Master, by removing the earth deposit along the channel of said creek at an expense not to exceed one thousand dollars. Lost. Ayes, 7; Noes, 13.

Ald. Bemis then offered the following as an amendment to said report.

That the amount of expense to be asssessed upon the property deemed benefitted by the improvement of dredging Buffalo creek, from the end of the North Pier to South street, be and the same is determined to be five hundred dollars, and the City Assessors are hereby di-

rected to make an assessment of five hundred dollars upon the real estate deemed benefitted by said improvement. Lost.

Ald. Adams moved the previous question, which was ordered. Ayes, 20; Noes, 0.

The question was then taken on the adoption of the report offered by Ald. Allen, and the same was lost for want of a two-third vote. Ayes, 16; Noes, 5.

Ald. Howard moved that the vote last taken, be reconsidered. Carried.

Ald. Howard then moved that said report be referred back to the Committee on Wharves, Harbors and Ferries. Carried.

The President resumed the Chair.

Ald. Beckwith moved that the Council now adjourn.—Lost.

Ald. Adams moved that when this Council adjourns, it adjourn to meet at one minute past 7 o'clock, P. M.—Carried.

Ald. Dorr, from the Committee on Public Grounds, reported in favor of allowing the following accounts, and of drawing orders for same:

Thos. N. Warner, for sign boards for Court House Park—$3 75.

John Erb, for removing ashes from city buildings—$2 25.

D. C. Weed & Co., for sundries for Franklin Square and Court House Park—$2 12.

Same, for sundries for city buildings—$2 00. Adopted.

Ald. Adams, from the Committee on Public Lamps, reported in favor of allowing the following accounts, and of drawing orders for same:

Buffalo Gas Light Co. for gas for public lamps for June—$2,582 77.

Same, for gas for public buildings, for quarter ending June 30—$468 25.

J. G. Turner, for lighting, &c., public lamps for June—$384 66. Adopted.

Ald. Savage, from the Committee on Sanitary Measures reported in favor of allowing the following account and of drawing an order for same:

Caleb Coatsworth, for abating nuisance by filling the low and marshy grounds in the bed of Little Buffalo Creek, between center of Otto and center of Alabama street, charged at $171 30, allowed at $154 70. Adopted.

Also in favor of the adoption of the following resolution:

That the ground fronting on the south side of South Division street, being forty feet front and rear, by one hundred and twenty feet deep, and commencing seventy-seven feet east from Pine street, is hereby declared to be unwholesome by reason of standing water in a filthy and stagnant condition thereon, and it is hereby ordered and determined that the owner or owners of said ground abate the same by draining or filling so that the said lot shall not be unwholesome; and in case the same is not done within ten days after notice published in the City Paper to do the same, then the Street Commissioner is hereby directed immediately to cause the same to be done, and report. Adopted. Ayes, 18; Noes, 0.

Ald. Crowder, from the Committee on New Territory, reported in favor of the adoption of the following resolutions:

That the City Assessors be directed to assess $2,825 14, for grading and paving Niagara street, from the northerly line of Amherst street to the northerly line of Hamilton street. Adopted.

That when an assessment shall be confirmed to defray the expense, the Street Commissioner contract with Isaac Holloway to grade and pave Niagara street, from the northerly line of Amherst street to the northerly line of Hamilton street, in accordance with the specifications for doing said work, at a sum not exceeding $2,825 14. Adopted.

That the City Assessors assess $977 76 for repairing Niagara street from the northerly line of Hamilton street to the centre line of Bird street by planking a roadway therein. Adopted.

The hour of 7 o'clock P. M. having arrived, the President declared the Common Council adjourned, to meet at one minute past 7 this evening.

O. F. PRESBREY, City Clerk.

IN COMMON COUNCIL,
Buffalo, Monday, July 8th, 1861,
At one minute past 7 o'clock, P. M.

Present—Asaph S. Bemis, Esq., President of the Council, and Aldermen Adams, Beckwith, Brush, Crowder, Dayton, Mills, Rutter, Savage, Schwartz, Wheeler and Yaw.

Absent—Aldermen Allen, Dorr, Felton, Goembel, Grass, Hanovan, Howard, Jones, Palmer, Pratt, Russell, Scheu, Storck, and Walsh.

No quorum being present, the President declared the Council adjourned, to meet next Monday afternoon, July 15, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 26.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, July 15, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council, and Ald. Adams, Allen, Brush, Crowder, Dayton, Goembel, Grass, Hanovan, Howard, Jones, Mills, Palmer, Russell, Rutter, Scheu, Storck, Schwartz, Wheeler and Yaw.

Absent—Ald. Beckwith, Dorr, Felton, Pratt, Savage, and Walsh.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM THE MAYOR.

MAYOR'S OFFICE,
Buffalo, July 15, 1861.

To the Hon. Common Council:

GENTLEMEN—Summons has been served on me to answer to the demand of Peter Mesner, before Esquire Gardner, on the 17th inst.

I enclose herewith a statement of the Fourth of July expenditures (and receipts) made by the Committee appointed by your honorable body.

Respectfully,
F. A. ALBERGER, Mayor.

Ald. Howard moved that said communication be received and placed on file; and that the subject matter of so much thereof as relates to suit commenced by Peter Mesner be referred to the City Attorney, with authority to defend. Carried.

The following is the statement referred to in the foregoing communication:

BUFFALO, July 12, 1861.

To the Hon. the Common Council:

FENTLEMEN—The undersigned appointed by your honorable body to make arrangements for the celebration of the Fourth of July, present the following statement of their receipts and expenditures. They have received from citizens seven hundred forty seven (747 68) 68-100 dollars, from the City Treasury six hundred ($689 50) eighty nine 50-100 dollars in all $1,437 18.

They have expended that amount as follows:

Cash paid for carriages	$76 00
Cash paid for printing placards, &c.	84 00
Cash paid for use of wagons, fitting and decorating same	66 50
Cash paid to six bands for music	318 00
Cash paid to Artillery Company for salutes	75 00
Cash paid to Gun Squad	25 00
Cash paid for cup for "regatta"	8 00
Cash paid for chiming and ringing church bells	44 00
Cash paid for peal of bells in procession	25 00
Cash paid for platform, and decorating same	50 00
Cash paid for use of horses for steam fire engines	13 00
Cash paid for decorating fire apparatus	120 00
Cash paid for fire works	500 00
Cash paid for telegraphing, postages, books, &c.	7 18
Cash paid for Special Police	15 00
Cash paid for posting bills	5 00
Cash paid to Collector	10 50
	$1,437 18

All of which is respectfully submitted.

F. A. ALBERGER, Mayor.
A. S. BEMIS,
CHAS. E. FELTON,
JAMES ADAMS,
GEO. R. YAW.

Filed and ordered printed, and subject matter referred to Committee on Claims.

FROM THE STREET COMMISSIONER.

GENTLEMEN:—On the 27th of last May you passed a resolution authorizing "the owners of the land or premises fronting on the easterly side of Main Street, between the crosswalk in front of the main entrance to the American Hotel and the northerly line of Eagle street, to repair the easterly side of Main street, and raise the gutter so that the water will pass off, in front of their respective lots, provided they do the same under the direction of the Street Commissioner, and within ten days, and at the expiration of said ten days the Street Commissioner to report such portions of said work that remains undone." The time named in said resolution having expired, the undersigned beg leave to report that the entire work specified therein remains undone.

L. J. WATERS, Street Commissioner.

Referred to Committee on Streets.

FROM THE FIRE MARSHAL.

GENTLEMEN:—By direction of your honorable body I contracted with Richard Exelby to build a hose cart for $150. The contract has been complied with and the cart delivered to the city.

Amount of contract, $150.

Amount paid is nothing.

I would respectfully recommend that an order be drawn in favor of Richard Exelby for $150, in settlement in full of said contract.

D. KISSOCK, Fire Marshal.

Filed an order directed to be drawn.

FURTHER FROM THE FIRE MARSHAL.

GENTLEMEN: William I. Williams asks for a settlement of his contract for building brick barn on Chicago street, the barn being completed according to contract. Amount of contract was $895; amount paid on contract is nothing.

I would respectfully recommend that an order be drawn in favor of William I. Williams for $895, in full of said contract.

D. KISSOCK, Fire Marshal.

Ald Yaw moved that said communication be filed, and that an order be drawn as recommended for $895.

Ald. Adams moved as an amendment that an order for $300 instead of $895 be drawn. Carried.

And the motion of Ald. Yaw, as so amended, was then carried.

Ald Yaw then moved that the balance of the subject matter of said communication be referred to the Committee on Fire. Carried.

FURTHER FROM THE FIRE MARSHAL.

GENTLEMEN: William Taylor has delivered 950 feet of hose on his contract, and asks for a payment of $360.

No. of feet delivered 950 at $1		$950
Amount paid on contract	$400	
Amount asked for	360	760
		$190 00

I would respectfully recommend that an order for $360 be drawn in favor of William Taylor, to apply on said contract.

D. KISSOCK, Fire Marshal.

Filed and order directed to be drawn.

The Overseer of the Poor reported the amounts due the clerks employed in his office for services in the months of May and June. Filed and orders directed to be drawn.

The City Clerk reported, that at a meeting of the Board of Health, held July 13th, 1861, the following nuisance was referred to the Common Council, with a recommendation that the same be abated, as hereinafter mentioned, viz:

Lot on the northeast side of Fulton street, 240 feet northeast from Chicago street, 28 feet front by 146 feet deep. Nuisance consists of hog pens in a filthy condition. Recommended to abate by removing the hog pens and cleansing the lot. Referred to the Committee on Sanitary Measures.

The City Clerk and chairman of the Committee on Wharves, Harbors and Ferries reported that, in accordance with a resolution passed July 1st, they had advertised in the city paper for proposals for removing the sunken wreck from Buffalo Creek, nearly opposite the Buffalo Elevator, and had received the following:

Norman Hagerman, for removing same from its present position to some point outside of the light house—$400.—Referred to the Committee on Wharves, Harbors and Ferries.

Assessment roll No. 2397, for repairing and maintaining public well and pump at the corner of Sycamore and Pratt streets, amount $262; the time for the consideration of which and the hearing of parties interested therein, had been postponed until to-day, was taken up.

Ald. Scheu moved that parties interested be heard.

Ald. Jones moved as an amendment, that the consideration of said roll be further postponed for two weeks. Lost.

And the motion of Ald. Scheu, that parties interested be heard, was then carried.

Nicholas Blassen and another addressed the Council in relation to said Roll.

Whereupon, Ald. Howard moved that the further consideration of said roll be postponed for two weeks, and that the subject matter of the improvement for which said roll is made, be referred to the Committee on Water with instructions to investigate, and report to the Council two weeks from to-day. Carried.

PETITIONS.

Of C. Coan, to have a local tax refunded.

Of Emily White, for a declaration of sale on lot on south east side of Hudson street, 85 feet northeast of Eleventh street, being 30 feet front by 96 feet deep.

Of Samuel Carey, for same on lot on the east side of Washington street, lying on the south corner of North Division stret, being 50 feet front by 132 feet deep. Referred to Committee on Finance.

Of B. C. Rumsey and others, to have Carolina street graded and paved, between Niagara and Tupper streets.

Of W. T. Barnes, to have Tupper street repaired, between Ellicott and Oak streets. Referred to Committee on Streets.

Of E. G. Grey, for permission to erect a wooden kitchen on Carolina street, near Sixth street.

Of sundry persons, to have a building removed from Elm street, about 200 feet North of Genesee street. Referred to Committee on Fire.

Of F. W. Lohouse and others, for the relief of Frederick Bodmir, injured in crossing the bridge on Louisiana street.

Of sundry persons, for the release of Louisa Williams from the Erie County Penitentiary. Referred to Committee on Police.

Of Samuel Strong and others, to have a sidewalk constructed on the northwest side of Vermont street, between Niagara and Sixth street. Referred to Committee on New Territory.

Of A. C. Moore, to have ordinance changed, in regard to driving cattle through streets. Referred to Committee of the Whole.

Of Samuel Reed, Jr., for a fireman's certificate. Referred to Fire Commissioners with power.

Petition of Peter Cramer, to have ordinance in relation to Fire Department enforced.

Whereupon Ald. Adams offered the following resolution:

That the Fire Marshal be, and he is hereby directed to examine the premises referred to in the said petition, and give such directions to the occupants thereof, as will abate the difficulties complained of. Adopted.

Petition of W. I. Mills and others, to have Franklin street graded and paved, from Niagara to Chippewa street, in accordance with the petition on file, asking for such improvement. Whereupon—

Ald. Adams offered the following:

WHEREAS, the petition of N K. Hall and others, with the certificate of the Assessors attached thereto, presented to this Council May 6th, 1861, showeth that a majority

of the persons liable to be taxed for the improvement of grading and paving Franklin street between Niagara and Chippewa streets; and

WHEREAS, this Council declared its intention on May 20th to grade and pave said street as aforesaid, and published notice of said intention May 22d, 1861, as required by the Charter; and

WHEREAS, a necessity is represented to exist for the said improvement, therefore

Resolved, That it is hereby ordered by the Common Council of the city of Buffalo that Franklin street be graded, and a carriageway paved therein, thirty-eight (38) feet wide, and a curbing set on both sides of said carriageway, from the northeast line of Niagara street to the curb line on the Southerly side of Chippewa street, and that crosswalks be constructed across said Franklin street, on both sides of all streets crossing Franklin street between the above named points.

Ald. Hanovan raised the point of order, that as the Council had at its last meeting, taken action on the subject referred to in said resolution, and refused to order said improvement, and the subject matter thereby having gone out of the Council, the same could not be again taken up, unless with the consent of two-thirds of the members of the Council.

The President decided that as a petition had been presented, and was under consideration, in relation to the subject, such subject was necessarily before the Council, and therefore the point of order raised by Ald. Hanovan was not well taken.

Ald. Adams moved that the whole subject matter of said petition and resolution be referred to the Committee on Streets. Carried.

REMONSTRANCES.

Of H. Utley and another, against sewer being constructed farther east on Delaware Place than 184 feet west of Delaware street. Referred to Committee on Sewers.

Of sundry persons, against permission being granted to James Davis to erect wooden building on Niagara street, near Pennsylvania street. Referred to Committee on Fire.

ACCOUNTS REFERRED.

N. B. Barker, for amount paid for sawing wood.

Eugene Christoph, for dusters for Schools.

John Schimler, for cleaning School House No. 16. Referred to Committee on Schools.

David Walker, for grading and working Franklin street, from Chippewa to Tupper streets.

A. D. Morton, for repairing Jefferson street, between South Division and Clinton streets.

Lauren Williams, for repairing bridge across Prime Slip on Canal street.

Same, for repairing wood culvert across Fulton street, on the easterly side of Alabama street.

David Walker, Jr., for repairing same across York street, on the southerly side of Fourteenth street. Referred to Committee on Streets.

George Miller, for repairing sewer and receiver at the northeast corner of Eagle and Union streets.

Same, for same at the southwest corner of Batavia and Elm streets.

O Butler, Jr., for repairing same at the southwest corner of Seneca and Van Rensselaer streets. Referred to Committee on Sewers.

Frederick Scheifer, for repairing sidewalk on the southerly side of Genesee street, between Mortimer and Jefferson streets.

Same, for same on southeasterly side of Genesee street, between a point 250 feet northeasterly from Hermon street and a point 150 feet northeasterly.

Same, for same on the west side of Elm street, between Tupper and Goodell streets.

Same, for same on the northerly side of Genesee street, between Oak and Elm streets.

Same, for same on the westerly side of Spring street, between Sycamore and Genesee streets.

Same, for same on the westerly side of Hickory street, between Batavia and Sycamore streets.

Same, for constructing a crosswalk across Monroe street, on the northerly side of Sycamore street.

Wm. I. Williams, for constructing crosswalk across Jefferson street, on the southerly side of Batavia street.

Same, for same across Tupper street, on the northwesterly side of Carolina street.

Same, for reconstructing same across Allen street, on the easterly side of Delaware street.

Same, for repairing sidewalk on the northwest side of Maryland street, between Tenth and Cottage streets.

Same, for same on north side of Huron street, between Ellicott and Oak streets.

L. Williams, for same on the easterly side of Walnut street, between Eagle and Clinton streets.

Same, for repairing crosswalk across Fulton street on the westerly side of Hamburgh street.

Same, for same across Grosvenor street on the northerly side of South Division street. Referred to Committee on Side and Crosswalks.

Wm. I. Williams, for repairing Engine House No. 6.

Same, for labor and material at Bell Tower. Referred to Committee on Fire.

George Miller, for repairing the Public Well on corner of Sixth and Carolina streets. Referred to Committee on Water.

Christoph Measel, for services in the Assessor's office.

Bradley Rumsey, for same.

Samuel Beals, for same.

Joseph P. Loersch, for same.

W. Chase & Son, for Desks for City Clerk's office.

Andrews & Son, for Tape line for Street Commissioner. Referred to Committee on Claims.

Jacob Bloom, for commitments to the Penitentiary.

M. Courtney, for paint for Police Station No. 2.

J. Whittaker, for attendance on patients at Police Stations. Referred to Committee on Police.

E. Blackman, for repairing wood culvert across Breckenridge street, on the easterly side of North Jefferson street.

Bryant Boyle, for repairing Massachusetts street, between Tenth and Fourteenth streets.

William Farmer, Jr., for repairing Delaware street, between Chapin and Amherst streets.

Same, for repairing a wood culvert across Albany street, on the west side of North Washington street.

Same, for same across Forest Avenue, about 1,700 feet westerly from Delaware street. Referred to Committee on New Territory.

REPORTS OF COMMITTEES.

Ald. Jones, from the Committee on Water, reported in favor of allowing the account of Bangasser & Bro., for brass castings, chains, &c., for hydrants—amount $12—and of drawing an order for same. Adopted.

Ald. Storck moved that the report from the Committee of the Whole on subject of revising and re-enacting chapter of Ordinances entitled "Of Markets and sale of meats, etc ," presented to the Council at its meeting held June 3d, 1861, and at that time laid upon the table to be taken up at the next regular meeting of the Council, under order of reports from the Committee on Markets, be now taken up. Carried.

Said report was then taken up. (See page 144, printed minutes for report.)

Ald. Storck offered the following as a substitute for the said report :

Resolved, That the Common Council of the City of Buffalo, by the power and authority in them vested by the Charter of said city, do hereby ordain and enact the following as chapter 9 of the ordinances of said city to be entitled "Of Markets and the sale of meats, etc :"

CHAPTER IX.

OF MARKETS AND SALE OF MEATS, ETC.

Section 1. It shall not be lawful for any person to sell, or offer or expose for sale, in the City of Buffalo, any fresh meat outside of the public markets, who shall not have obtained a license so to do, under a penalty of twenty-five dollars for each and every offence.

§ 2. It shall be the duty of every person who shall keep fresh meat for sale, to keep the place at which the same shall be exposed for sale, in a clean and orderly condition; and to keep the street adjacent to such place clean and free from all obstructions; and every person offending against the provisions of this section shall forfeit the sum of ten dollars for each and every offence.

§ 3. No fresh meat, except offals of hogs, consisting of feet, ears, snouts, spare ribs (sold by persons being packers,) and except fish, venison and wild game, and pork in the hog, shall be sold or offered for sale, at any place in said city, except at the market houses, and at such stalls or stands as are or may hereafter be licensed; and beef shall not be cut at the slaughter house of any butcher, in pieces less than quarters; and all other carcasses shall remain whole, after the same shall be dressed, until delivered at the stall or stand of the butcher or other person selling or offering to sell the same. Any person violating either of the provisions in this section contained, shall, for each offence, forfeit the penalty of twenty-five dollars.

§ 4. The clerk of the market shall provide, at the expense of the city, as often as the same may be required, suitable locks and fastenings, for the public markets and have charge of the keys thereof. He shall cause the market to be opened and closed at such hours as the mayor shall from time to time direct, and meats exposed, or intended to be exposed for sale at the stalls, shall be for that purpose delivered, and exhibited therein, as soon as the market is opened, on each day, or within one hour thereafter; but the clerk may, on the application of any butcher or other person, permit meat to be delivered at any other time of the day.

§ 5. Every person who shall sell, or expose for sale, in this city, any unwholesome, stale, emaciated, blown, stuffed, tainted, bruised, putrid or measly meat, poultry or provisions, shall forfeit the penalty of twenty-five dollars for each and every offence; and the meat, poultry or other provision so exposed, shall without delay, upon the view of the clerk of the market, be by him seized and destroyed.

§ 6. No mutton or lamb shall be sold in the said city until that part of the leg directly below the joint of the knee, be taken therefrom; and no butcher, or other person, shall between the first day of May and the first day of November, bring to any public market or place designated for the sale of meat, any untried fat, commonly called gut fat; nor at any time nor season, the head of any sheep or lamb unless the same be skinned and properly cleaned: nor any sheep or lamb, in carcass or otherwise, with a trotter or foot thereon; nor any hides or skins, under a penalty of ten dollars for each and every offence.

§ 7. All meats sold in the city except pigs and lambs, shanks, offals, heads and plucks, shall be previously weighed and sold by the pound, and in case any fraud shall be committed in the weight of any meat or in case any meat shall be sold except as aforesaid, not being weighed, the person selling the same shall forfeit the sum of five dollars for each offence.

§ 8. No butcher or person, or any one in their employ, shall at any time during the hours for the sale of meat, or any other time, employ himself in the pitching of quoits, or playing any kind of game, in or about the market or place designated for the sale of meat, under the penalty of one dollar for each offence; nor use profane or obscene language, or otherwise conduct himself in an indecorous or offensive manner, under a penalty of five dollars for each and every offence.

§ 9. The clerk of the markets shall receive in lieu of all fees, such compensation as the Common Council shall designate.

§ 10. No butcher or other person shall kill or slaughter any beeves, calves, sheep, or other animals within this city, unless the house, yard, pen or place, where such killing shall take place, be provided with a tight plank floor, or be paved with brick or stone; if paved with brick or stone, the same shall be laid in water lime cement; said floor to be made sufficiently tight to prevent the earth becoming the receptacle of filth and offensive matter; the floor in every such case shall be made with a descent towards a gutter which shall pass through the same, and leading to a tub or reservoir, which shall be placed to receive the blood and offal passing therein, which shall be emptied at the end of each day when killing has been done on the premises, at such place, so that no offensive effluvia shall arise therefrom; whoever shall violate any of the provisions of this section shall forfeit the penalty of twenty-five dollars.

§ 11. Every slaughter-house shall be whitewashed inside at least once in each month between the first day of April and the first day of November; whoever shall violate the provision of this ordinance shall forfeit the penalty of ten dollars.

§ 12. No butcher, or other person, shall keep any dog or bitch, in or about any of the markets or places designated for the sale of meat, under the penalty of one dollar for each and every offence.

§ 13. No fresh meats shall be exposed for sale, except in such places as shall be designated by the common council, under the penalty of twenty-five dollars for each and cevery offence.

§ 14. The stand or place at which the person obtaining a license is to offer meat for sale, shall be specified in the license, and it shall not be lawful for him or his servants to sell or offer meat for sale at any other place under the penalty of twenty-five dollars for each and every offence.

§ 15. No fresh meat, except fresh pork, shall be sold or exposed for sale outside of and within five hundred feet of the public markets, under the penalty of twenty-five dollars for each and every offence.

§ 16. It shall be the duty of the clerk of the markets from time to time to visit and examine the several places and premises at which fresh meat is authorized to be sold, and to see that all the ordinances relating to the sale of meat are strictly enforced.

§ 17. The sum of sixteen dollars shall be paid for each license granted to sell fresh meats in stalls or stands, other than the public markets, in all that part of the city of Buffalo as it existed prior to the first of January, 1854. No fresh meat shall be peddled in the city of Buffalo, as the same existed prior to the first of January, 1854, except beef by the quarter, hogs, calves, sheep and lambs by the carcass, under the penalty of twenty dollars for each offence Ten dollars shall be paid for each license to peddle beef by the quarter, hogs, calves, sheep and lambs by the carcass, in that part of the city last mentioned. Five dollars shall be paid for each license to sell fresh meat in stands or stores in that part of the city annexed by the act of 1853. Twenty-five dollars shall be paid for each license to peddle fresh meats in that part of the city last mentioned. No license shall be granted to sell fresh meat, except fresh pork, outside of and within one thousand feet of the public markets, except to such persons as shall have been licensed within that distance heretofore. Licences shall expire on the first day of May in each year, unless sooner revoked by the Council, or annulled under the provisions of the Charter. No licenses shall be granted under the provisions of this ordinance after the first day of July in each year, except the year 1861.

§ 18. Every person applying for a license shall, at the time of receiving the same, execute to the City a bond in the penal sum of one hundred dollars, with one or more sureties, conditioned that he will observe all the ordinances relative to the sale of meat, and pay the fines or penalties imposed for a violation of said ordinances.

§ 19. Nothing herein contained, except the provisions of sections 5, 27 and 28, shall be construed to prohibit any farmer or other person who shall have actually raised the animal whose carcass he may expose for sale, from selling or offering for sale the same at any place within the bounds of the city, by the carcass or quarters.

§ 20. No person shall place, or cause to be placed in or about any market or place designated for the sale of meat, any calf, sheep, lamb, or other animal, with its legs tied, nor shall any person tie such animal in or about any such market or place so designated, under the penalty of five dollars for each and every offence; nor shall any person tie, or cause to be tied, any calf, sheep, lamb or other animal, except horses, to any fence, post, tree or other thing, in or about any market or place designated for the sale of meat, under the penalty of ten dollars for each and every offence.

§ 21. It shall not be lawful for any butcher to sell or offer for sale any fresh or butcher's meat, in this city, without first having obtained a license so to do, under a penalty of twenty-five dollars for each and every offence.

§ 22. It shall not be lawful for any butcher to expose for sale any fresh or butcher's meat, at any place within this city, except at the public markets, and at such other places as the council may appoint, under the penalty of twenty-five dollars for each and every offence.

§ 23. No butcher or other person licensed to sell fresh meat shall expose for sale any fresh meat on Sunday, within the city, under the penalty of twenty-five dollars for each and every offence.

§ 24. It shall be the duty of the Clerk of the Markets to assign and set apart certain portions of the market grounds near the public markets, for the purpose of exposing for sale and selling garden and farm produce and other products of farms and gardens; and no person shall expose for sale or sell any garden or farm products or other thing whatsoever in any street in this city, other than in the place or places so assigned and set apart by the said Clerk, under the penalty of ten dollars for each and every offence.

§ 25. No person shall sell or expose for sale any poultry, eggs, cheese or butter, or any garden or farm produce whatsoever, in any public market, or in any other stores, shops, or stands, or in any place in said city, except the same shall have been raised on the farm of such person, or unless such person shall have been himself, or herself, into the country, beyond the city limits, and there purchased the same from the farmer or gardener who raised the same, or except the same shall have been purchased in the city of Buffalo, after nine o'clock in the forenoon, under the penalty of ten dollars for each offence.

§ 26. No provisions, country produce or other article which shall have been sold or bargained for in any manner, before nine o'clock in the forenoon of the day of its arrival in the city of Buffalo, shall be exposed for sale or sold in any of the public markets in said city or the grounds contiguous thereto, under the penalty of ten dollars for each offence.

§ 27. No person shall offer or expose for sale within the limits of the city of Buffalo, any fresh meat, being the carcass or any part of the carcass of any calf, which, shall have been less than four weeks old at the time when it was killed, and no person shall offer for sale within the said limits any calf, living or otherwise, which shall be less than four weeks old at the time of so offering the same for sale. Any violations of this provision shall be punished by a fine of twenty-five dollars for each and every offence. Any such meat so offered or exposed for sale, shall without delay, upon the view of the Clerk of the Market, be by him seized and destroyed.

§ 28. No person shall sell, offer or expose for sale, in the city of Buffalo, any bruised or diseased cow, heifer, ox, steer, bullock, hog, sheep, lamb, or calf, under a penalty of twenty-five dollars for each and every offense.

§29. Upon application to the common council, any person or persons may receive a license to peddle fresh meat and fish within the territory mentioned and specified in sections ten and eleven of title twelve of the charter of the city of Buffalo, upon the payment of a sum to be fixed by the common council, of not less than ten nor more than twenty-five dollars for such licenses, and executing a bond to the city in a penal sum of one hundred dollars with sufficient sureties, conditioned that the person or persons receiving the same shall observe all the ordinances of the city relative to the sale of meat and fish. But such license shall not authorize such person or persons to sell or peddle meat or fish in any part of the city not included in the territory above specified.

§30. No person shall sell or expose for sale in the said city the carcass of any turkey or turkeys, chicken or chickens, duck or ducks, goose or geese, until the entrails, crops, and heads are taken therefrom, under a penalty of five dollars for each and every offence.

§ 31. No person shall sell within the city of Buffalo or expose for sale, any wilted, stale, decayed, rotten, fermented or unwholesome vegetables, fruit, garden or farm produce of any kind, under a penalty of ten dollars for each and every offence.

§ 32. It shall be the duty of any member of the Board of Health to order the person or persons in whose charge or custody any of the articles mentioned in the preceding section shall be found, to cause the same to be removed and destroyed; and any persons, who shall after being so notified by such commissioner, refuse to obey such order, or who shall sell or expose for sale such articles, shall forfeit and pay the sum of fifty dollars for each and every offence.

§ 33. Penalties incurred for the violation of any of the provisions of this chapter, may be sued for in the name of the City of Buffalo, and recovered with costs before any Justice of the Peace in and for said city.

Ald. Adams moved the adoption of the substitute offered by Ald. Storck.

Ald. Storck moved to amend the substitute offered by him by striking out sec. 10 and inserting the following in place thereof:

No butcher or other person shall erect or keep any slaughter house in this city, within the following described limits, viz: All that territory lying and being bounded northerly by York and North streets; easterly by Jefferson to Eagle streets; thence bounded northerly by Eagle street to the State Reservation line; thence southeasterly by said Reservation line to Lake Erie; nor shall any person kill or slaughter any beeves, calves, sheep or other animals, within this city outside the above described limits, unless the house, yard, pen, or place where such killing shall take place, be provided with a tight plank floor, or be paved with brick or stone, if paved with brick or stone, the same shall be laid in water lime cement said floor to be made sufficiently tight to prevent the earth becoming the receptacle of filth and offensive matter; the floor in every such case shall be made with a descent towards a gutter which shall pass through the same, and leading to a tub or reservoir which shall be placed to receive the blood and offal passing therein, which shall be emptied on the end of each day when killing has been done on the premises, at such place so that no offensive effluvia shall arise therefrom; whoever shall violate any of the provisions of this section shall forfeit the penalty of twenty-five dollars.

Ald. Storck moved to amend the amendment moved by him by inserting after the words "limits" the words "unless by the vote of two-third of the members elected to the Common Council." Carried.

And the amendment moved by Ald. Storck as so amended was then carried.

The said substitute of Ald. Storck as amended was then adopted. Alderman Storck moved that the City Clerk be directed to cause the foregoing chapter of Ordinances as adopted, to be published as required by the City Charter. Carried.

Ald. Crowder, from the Committee on New Territory reported in favor of the adoption of the following resolutions:

That, (when an assessment shall be confirmed to defray the expenses,) the Street Commissioner be, and is hereby authorized and directed to contract with Wm. Farmer, Jr., and Archibold Currey, for repairing Niagara street, from the northerly line of Hamilton street to the centre line of Bird street, by planking a roadway therein, eight feet wide, in accordance with the specifications for doing the work, with pine plank, 4 inches thick, at a sum not exceeding $977 76. Adopted.

That, when an assessment shall be confirmed for defraying the expenses, the Street Commissioner is hereby authorized and directed to contract with William A. Bird for repairing Niagara street from the centre line of Bird street to Cornelius Creek, by planking a roadway therein eight feet wide, with pine plank 4 inches thick, in accordance with the specifications for doing the work at a sum not exceeding $665 60. Adopted.

That the City Assessors assess $665 60 for repairing Niagara street, from the centre line of Bird street to Cornelius Creek, by planking a roadway. Adopted.

Ald. Storck moved that the Council do now resolve itself into the Committee of the Whole, for the purpose of considering the subject of revising and re-enacting the City Ordinances. Carried

Ald. Howard was called to the Chair.

The Committee of the Whole rose, and their Chairman, Ald. Howard, reported that they had had the subject of revising and re-enacting the Ordinances under consideration, and had gone through with the following chapters, viz:

Chapter 8, "Of Excise;" Chapter 10, "Of Restraining Horses, &c., from running at large;" Chapter 11, "Of Shows and Theatrical Exhibitions;" Chapter 12, "Of Nuisances;" Chapter 13, "Of Schools;" Chapter 14, "Of Weights and Measures;" Chapter 16, "Of the Sale of Bread;" Chapter 17, "Of the Measurement and Sale of Wood; Chapter 18, "Of Public Grounds;" Chapter 19, "Of Pawn Brokers;" Chapter 20, "Of Hackney Coaches;" Chapter 21, "Of Cartmen and Public Porters," and Chapter 22, "Of Miscellaneous Provisions;" had made sundry amendments to said Chapters and recommended that same be adopted as amended and revised by the said Committee.

Ald. Storck moved that the report from the Committee of the Whole be received, and that the several chapters of ordinances therein named, as amended and revised by said Committee, be, and the same are hereby, separately and respectively adopted by the Common Council. Carried.

Ald. Storck moved that the Committee have leave to sit again. Carried.

Ald. Howard moved that the City Clerk be directed to cause the said several chapters of ordinances to be published as required by the City Charter. Carried.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Palmer—That that portion of the report of the City Attorney, of the 1st instant, relating to the suit of E. S. Warren et al. against the City, be and the same is hereby referred to the Committee on Streets. Adopted.

By Ald. Russell—That the City Surveyor be and he is hereby directed to report a suitable grade for Delevan Avenue between Main and Deleware streets. Adopted.

Ald. Adams moved that when this Council adjourns it adjourn to meet at one minute past seven o'clock this evening. Carried.

Resolutions were offered and referred to Committees as follows :

That the wood culvert across Eleventh street, on the southeast side of Maryland street, be repaired.

That the culvert on Cherry street at the intersection of Spring street be reconstructed.

That Colton street be repaired between Main and Washington streets.

That the bridge across Prime Slip on Canal street between Main and Lloyd streets be repaired. Referred to Committee on Streets.

That the receiving sewer at the northwest corner of Perry and Hayward streets, be reconstructed.

That the sewer and receiver on the west side of Maiden Lane, about 25 feet northerly from Fly street, be reconstructed.

That the receiving sewer at the north east corner of Perry and Hayward streets, be reconstructed. Referred to Committee on Sewers.

That the sidewalk on the northerly side of South Division street, between Pine street and School lot No. 6, be repaired.

That the crosswalk across Virginia street on the westerly side of Tenth street, be repaired.

That the crosswalk on the northeast side of Genesee street across Hickory street, be reconstructed.

That a crosswalk across Austin street, on the easterly side of Niagara street, be constructed. Referred to Committee on Side and Crosswalks.

That the expense incurred by the Chief of Police in fitting up his office be sanctioned by this Council. Referred to Committee on Police.

That the wood culvert across Eleventh street on the southeast side of Massachusetts street, be repaired.

That the wood culvert across Spring street, on the northerly side of Hinckley street, be repaired.

That the wood culvert across East street on the southwest side of Austin street, be repaired.

That the wood culvert across Barton street, on the southeast side of Ferry street, be repaired.

That the wood culvert across Vermont street on the southwest side of Fourteenth street, be repaired.

That the bridge over the Hydraulic Canal, on the Williamsville Road, between the Aurora Plank Road and Clinton street, be repaired

That the plank crosswalk across Massachusetts street, on the northeasterly side of Tenth street, be repaired.

That the sidewalk on the northeasterly side of Ninth street between Vermont and Rhode Island streets be repaired.

That a sidewalk on the northeasterly side of Ninth street, between York and Vermont streets, be repaired.

That a stone sidewalk be constructed on the north side of Amherst street, between Niagara and Dearborn streets.

That the Surveyor report a grade for Delevan avenue, from Main to Delaware streets.

That Walton street be repaired between Genesee street and the Pine Hill Road.

That Amherst street be repaired between Tonawanda street and the Military Road.

That Amherst street be repaired between the State Ditch and the Military Road.

That the Williamsville Road be repaired between Clinton street and the Hydraulic Canal. Referred to Committee on New Territory.

The hour of 7 o'clock, P. M., having arrived, the President declared the Council adjourned to meet at one minute past 7 o'clock this evening.

OTIS F. PRESBREY, City Clerk.

IN COMMON COUNCIL,
Buffalo, Monday, July 15, 1861,
At one minute past 7 o'clock P. M.

Present, Asaph S. Bemis, President of the Council, and Ald. Adams, Brush, Crowder, Dayton, Goembel, Hannovan, Howard, Mills, Palmer, Rutter, Storck, Schwartz, Wheeler, and Yaw.

Absent—Ald. Allen, Beckwith, Dorr, Felton, Grass, Jones, Pratt, Russell, Savage, Scheu, Walsh.

The reading of the minutes of the last meeting was dispensed with.

Ald. Palmer moved that the Common Council do now resolve itself into the Committee of the Whole for the purpose of the further consideration of the subject of revising and re-enacting the City Ordinances. Carried.

Ald. Howard was called to the chair.

The Committee of the Whole rose, and their Chairman, Ald. Howard, reported that they had had the subject of revising the City Ordinances under consideration, had gone through with, the following chapters: Chapter 23, "of Finance;" Chapter 24, "of the Auditor, his powers and duties;" Chapter 25, "of Streets, Sidewalks, Sewers, &c.;" and Chapter 26, "of Railroads," had made sundry amendments to said chapters, and recommended that the same be adopted as amended, and revised by said Committee.

Ald. Palmer moved that said report from the Committee of the Whole be received, and that the several chapters of ordinances therein named as amended and revised by said Committee, be, and the same are hereby separately and respectively adopted by the Common Council. Carried.

Ald. Palmer moved that leave be granted to the Committee to sit again. Carried.

Ald. Howard moved that the City Clerk be directed to cause said ordinances to be published, as required by the City Charter. Carried.

The Common Council then adjourned to meet next Monday afternoon, July 22d, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 27.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, July 22, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq , President of the Council, and Ald. Adams, Allen, Beckwith, Brush, Crowder, Dayton, Dorr, Felton, Goembel, Grass, Hanovan, Howard, Jones, Palmer, Russell, Rutter, Scheu, Schwartz, Storck, Walsh, Wheeler and Yaw.

Absent—Ald. Mills, Pratt and Savage.

The minutes of the meetings held July 15th, at 2 and one minute past 7 o'clock, P. M., were approved.

COMMUNICATIONS FROM THE MAYOR.

MAYOR'S OFFICE,
Buffalo, July 22, 1861.

To the Hon. Common Council:

GENTLEMEN,—I have been served with summons to appear before C. A. Waldron, Esq , Justice of the Peace, on the 26th inst,, to answer to the demand of Francis J. Pattison.

I enclose herewith an invitation from the "Liedertafel," to attend their festival in Moffatt's Grove on Thursday next.

Respectfully,
F. A. ALBERGER, Mayor.

Received and placed on file, and City Attorney directed to defend suit commenced by F. J. Pattison, and the invitation from the "Liedertafel" accepted.

The following is the said invitation.

To His Honor Mayor Alberger,

SIR:—I have the honor to invite you and the members of the Common Council in the name of the Liedertafel, to attend their festival in Moffat's Grove, on Thursday, July 25th. Yours most respectfully,

A. ROSE, Secretary.

Buffalo, July 20th, 1861.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER

GENTLEMEN:—In compliance with the resolution adopted by you on the 8th inst., the special loan bonds of the city have been issued to the amount of $86,000 with 7 per cent. interest coupons attached, payable semi annually at the office of Messrs. Duncan, Sherman & Co , in the city of New York, principal in one, two, three, four and five years, and the same after having been advertised in accordance with the directions contained in said resolution, have been taken at their par value by parties in this city as follows:

Gibson T. Williams	$21,000
John M. Hutchinson,	21,000
Buffalo Savings Banks	20,000
Erie County Savings Bank	10,000
Buffalo Trust Co	13,000
George R. Babcock	1,000
Total	$86,000

Which amount including the accrued interest thereon, has been realized and deposited with the City Treasurer to the credit of the tax loan fund.

The amount to be drawn upon this fund for the purpose of paying for lands struck off to the city at the recent sale is $113,540 68, and is to be applied as follows:

To the payment of the General City Tax, 1860,	$24,093 68
To the payment of the General Lamp Tax, 1860,	1,894 42
To the payment of the General Water Tax, 1860,	1,111 58
To the payment of the Local Assesments added to General Tax, 1860,	84,488 00
Fees,	1,953 00
Total	$113,540 68

I recommend that an order be drawn in my favor for the above amount, $113,540 68, payable out of the Tax Loan Fund, for the purpose of reimbursing the several funds named and included in the above statement, the amount of tazes, &c., for which such lands were sold.

I also report that the bill of Messrs. Duncan, Sherman & Co., for advertising the sale of said bonds in the *World* and *Times* three days is $8 00, and would also recommend that an order for this amount be drawn in my favor on the tax loan fund with which to pay the same. In this connection it may be proper to say that no bids were obtained from parties outside of this city for said bonds, owing probably to the large amount of securities already in and soon to be in market, our bonds being offered only at a rate not less than par. The result, however, speaks well for the credit of the city, and is alike creditable to our savings institutions and to the sagacity and ability of capitalists, particularly Messrs. Williams and Hutchinson, who were the first to step forward and take any amount, and would have taken a much larger amount, and perhaps the whole $86,000 at par had not other parties named manifested a desire for a part.

I would also recommend that you pass a resolution requiring all holders of orders made good by the recent sale, issuing of bonds, &c., to present them at the City

Treasury for payment, and that interest thereon will be stopped on the 1st day of August, 1861.

Respectfully submitted,

ALONZO TANNER, Comptroller.

I concur in the recommendation last above stated.

JOHN S. TROWBRIDGE, Treasurer.

Filed and orders directed to be drawn as recommended, and subject matter of the balance of said communication laid upon the table for the present.

FURTHER FROM THE COMPTROLLER.

GENTLEMEN:—I respectfully report that the following named sums will be required to pay interest on City Bonds falling due on the first and second proximo:

On $8000, 7 per cent bonds issued October 1st, 1851, payable on the first proximo at Albany,	$280 00.
On $32,000, 6 per cent bonds issued August 1st, 1858, payable on the first proximo at the city of New York,	960 00
On $62,000, 7 per cent bonds issued February 2d, 1857, payable on the second proximo at New York,	2,170 00
On $20,000, 7 per cent bonds issued August 2d, 1857, payable on the second proximo at New York,	700 00
Commission to Duncan Sherman & Co., ¼ per cent,	9 58
Premium on draft at ½ per cent,	20 60
Total,	$4,140 18

I recommend that orders be drawn in my favor upon the General Fund, 1861, estimates for interest on the funded debt, for the above amount for the payment of such interest.

I also report there will be due James G. Turner $31 25, August 1st, for one quarters rent Police Station No. 2, and to Frederick Kull Guardian, on same day, $25, rent for Police Station No. 4, and it is recommended that orders be drawn in their favor respectively, on the General Fund, 1861, Police Department in full payment therof.

ALONZO TANNER, Comptroller.

Filed and orders directed to be drawn as recommended, the orders for rent of Police Stations not to be delivered until on or after the 1st of August.

FROM THE STREET COMMISSIONER.

GENTLEMEN—My attention has been called to the condition of Hamburgh street, between Fulton street and the bridge over the ditch at the easterly termination of the Main and Hamburgh street Canal. There are deep holes in the street, rendering it almost impossible for loaded teams to pass, and the undersigned respectfully recommends that the street be repaired by filling the holes and opening the gutters where necessary. The expense will be about $30.

Respectfully submitted,

L. J. WATERS, Street Commissioner.

Referred to the Committee on Streets.

FURTHER FROM THE STREET COMMISSIONER.

GENTLEMEN—The undersigned reports the following named improvements, made and completed in accordance with your orders, at the expense, severally, as hereinafter stated:

ON STREETS.

Jefferson street repaired, between South Division and Clinton streets—$39 50.

Wood culvert repaired across York street, on the southerly side of Fourteenth street—$7 75

Franklin street graded and worked, between Chippewa and Tupper streets—$75.

Wood culvert repaired across Fulton street, on the easterly side of Alabama street—$8 01.

Bridge repaired across Prime Slip, on Canal street—$1 82

Emelie street repaired, between Clinton and Peckham streets—$1 88.

Referred to Committee on Streets.

ON SEWERS AND RECEIVERS.

Sewer and Receiver repaired at the south-west corner of Seneca and Van Rensselaer streets—$13 85.

Sewers and Receiver repaired at the south-west corner of Batavia and Elm streets—$16 19.

Sewer and Receiver repaired at the north-west corner of Eagle and Union streets—$15 68.

Sewer and Receiver repaired on the southerly side of Exchange street, at the easterly end of the bridge over Little Buffalo Creek—$7 07.

Sewer and Receiver repaired at the well on the north-west corner of Perry and Hayward streets—$4 25.

Sewer and Receiver repaired at the north-west corner of Chicago and Exchange streets—$5 65.

Receiver repaired at the north-west corner of Clinton and Spring streets—$4 82.

Receiver repaired on the south side of Elk street, near the west side of the State Line Railroad—$3 72.

Receiving Sewer at the north-west corner of Clinton and Jefferson streets—$2 51.

Receiver repaired on the north side of Elk street, near the west side of the State Line Railroad—$3 88. Referred to Committee on Sewers.

ON SIDE AND CROSSWALKS.

Crosswalk repaired across Clinton street on the easterly side of Elm street—$14 63.

Crosswalk repaired across Clinton street, on the westerly side of Michigan street—$14 91.

Sidewalk repaired on the easterly side of Hickory street, between Batavia and William streets—$12 96.

Sidewalk repaired on the east side of Kinney street, between Seneca and Folsom streets—$8 96.

Crosswalk repaired across Cedar street, on the northerly side of Clinton street—$7 20.

Crosswalk reconstructed across Carlton street, on the easterly side of Elm street—$6 88.

Sidewalk repaired on the north-west side of Maryland street, between Tenth and Cottage streets—$17 60.

Crosswalk constructed across Tupper street, on the north-west side of Carolina street—$8 64.

Crosswalk constructed across Jefferson street, on the southerly side of Batavia street—$9 96.

Crosswalk reconstructed across Allen street, on the easterly side of Delaware street—$7 68.

Sidewalk repaired on the north side of Huron street, between Ellicott and Oak streets—$3 28.

Crosswalk constructed across Monroe street, on the northerly side of Sycamore street—$6 08,

Crosswalk repaired across Grosvenor street, on the northerly side of South Division street—$7 74.

Sidewalk repaired on the southerly side of Genessee street, between Mortimer and Jefferson streets—$5 28.

Sidewalk repaired on the northerly side of Genesee street, between Oak and Elm streets—$11 20.

Sidewalk repaired on the westerly side of Hickory street, between Batavia and Sycamore streets—$5 90.

Sidewalk repaired on the easterly side of Walnut street, between Eagle and Clinton streets—$16 80.

Sidewalk on the westerly side of Spring street, repaired between Sycamore and Genesee streets—$16 00.

Cross-walk repaired across Fulton street, on the westerly side of Hamburgh street—$7 84.

Sidewalk repaired on the southeast side of Genesee-st, between a point 250 feet north-easterly from Herman street, and a point 150 feet north easterly therefrom—$13 88.

Sidewalk repaired on the west side of Elm street, between Tupper and Goodell streets—$17 76.

Sidewalk repaired on the easterly side of Gray street between Genesee and Batavia streets—$69 04.

Referred to Committee on Side and Crosswalks.

ON NEW TERRITORY.

Pavement repaired in Niagara street, at the north end of the bridge across Scajaquada Creek—$48 31.

Massachusetts street, repaired between Tenth and Fourteenth streets—$23 97.

Wood Culvert repaired across Breckinridge street, on the easterly side of North Jefferson street—$5 00.

Wood Culvert repaired across Forest Avenue, about 1700 feet westerly from Delaware street—$7 65.

Delaware street repaired, between Chapin and Amherst street—$49 25.

Wood Culvert repaired across Albany street, on the west side of North Washington street.

Respectfully submitted,

G. HYATT,

Clerk for Street Commissioner.

Referred to Committee on New Territory.

FROM THE CITY SURVEYOR.

In compliance with your order of June 3d, 1861, I have carefully examined the lands lying easterly of Delaware street and northerly of North street, with reference to abating the nuisance caused by surface water and the want of proper sewerage.

In my opinion the only practicable plan for accomplishing this desirable object will be the construction of a receiving sewer from Main street to Scajaquada Creek, on the following grade and dimensions, and passing through the following named streets to Scajaquada Creek:

Commencing at the intersection of the easterly line of main street, with the centre line of Best street, at an elevation of 60 00 feet above the base line of levels, thence easterly along the centre of Best street, falling 0.20 feet per 100 feet to the centre of Michigan street, a distance of 1,500 feet, thence continuing falling on the same grade northerly through Michigan street, to the centre of Ferry street, a distance of 4,151 feet, thence continuing falling on the same grade; westerly through Ferry street, to the centre of Linwood avenue, a distance of 1,210 feet, thence continuing falling on the same grade northerly through Linwood avenue, to the centre of Bouck avenue, a distance of 1,959 feet, thence continuing falling on the same grade, westerly through Bouck avenue, to the centre of Delaware street, a distance of 690 feet, thence northerly along the centre of Delaware street, falling on the same grade for a distance of 1,490 feet to an elevation of 38.00ft. above the base line of levels; thence continuing northerly along the centre line of Delaware street, falling 1.25 feet per 100 feet, for a distanbe of 2,000 feet, to an elevation of 13.00 feet above the base line of levels, thence continuing northerly along the said centre line of Delaware street, falling 2.40 per 100 feet for a distance of 792 feet to Scajaquada Creek, at an elevation of 6 feet below the base line of levels.

I would recommend that the dimensions of the several portions of the proposed sewer be as follows:

Through Best steet 3 ft., diameter in the clear.....1.500ft.
" Michigan street 3½ ft., diameter in the clear.....4 151
" Ferry street 4ft., diameter in the clear.....1 210
" Linwood & Bouck streets 4½ ft., diameter.2.649
" Delaware street 5ft., diameter in the clear.4.282

Total length of proposed sewer.....13.792ft.

ESTIMATED COST OF SEWER.

1,500 L F.	3ft sewer,	average cut	8.20 at	$1 71..	$	2,565 00
4,151 "	3½ft "	"	7.80 at	$1 90..		7,886 90
1,210 "	4ft "	"	10.90 at	$2 30..		2,783 00
2,649 "	4½ft "	"	12.60 at	$2 66..		7.046 34
4,282 "	5ft "	"	10.30 at	$2 72..		11,647 04

Total estimated cost.....$31,928 28

Total length 13,792 feet, averages per foot $2 31½ cents.

I have estimated the walls of the sewer 8 inches thick, except where it turns the corners of the streets, where they will be 12 inches thick throughout the length of the curve.

The annexed map and profile show the line and grade of the sewer.

Yours Respectfully,

PETER EMSLIE, City Surveyor.

Referred to the Committee on New Territory.

FURTHER FROM THE CITY SURVEYOR.

In compliance with your order, I submit the following grade for Delavan Avenue, from Main street to Delaware street, as follows:

Commencing at the intersection of the westerly line of Main street with the centre line of Delavan Avenue, at an elevation of 48.20 feet above the base line of levels; thence westerly along said centre line of Delavan Avenue, rising 2.40 feet per 100 feet for a distance of 200 feet; thence rising 0 70 feet per 100 feet for a distance of 200 feet; thence falling 0.80 feet per 100 feet for a distance of 250 feet; thence falling 2.62 feet per 100 feet for a distance of 300 feet; thence falling 0.51 feet per 100 feet for a distance of 718 feet; thence rising 2 08 feet per 100 feet for a distance of 482 feet; thence rising 0 50 feet per 100 feet for a distance of 446½ feet to the east line of Delaware street, at an elevation of 53 21 feet above the base line of levels, as shown by the annexed profile.

PETER EMSLIE, City Surveyor.

Referred to the Committee on New Territory

FROM THE SUPERINTENDENT OF SCHOOLS

Herewith I transmit the pay-roll of the several teachers in the Public Schools, for the term ending on Thursday nex, the 25th instant. I certify that there is due to each the sum set opposite his or her name, and recommend that orders be drawn in their favor accordingly.

The total amount called for is eighteen thousand, one hundred and one dollars and eight cents ($18,101 08.)

SANFORD B. HUNT.
Superintendent of Schools.

Filed and orders directed to be drawn.

The Superintendent of Schools also reported the amounts due to sundry persons for sweeping, &c. School Houses for term ending July 25th—total $428 60.

Filed and orders directed to be drawn.

The City Clerk reported that a meeting of the Board of Health, held Saturday, July 20th, 1861, the following account was audited, and by them refered to the Council with a request that provision be made for payment of the same:

Sherman & Barnes, for sheeting, &c., for Pest House—$4 95. Referred to Committee on Sanitary Measures.

The City Clerk also reported that the following named assessment rolls had remained on file in his office more than ten days, since the first publication of a notice in the city paper, that the same were so filed, and that persons interested therein might file applications for the correction of the same, and that no such applications had been filed with him, viz:

No.	Amount ordered by Common Council.	Amount added by Assessors.	Total amount of Assessment.
2407—For repairing sewer and receiver at the southeast corner of Ash and Sycamore streets	$14 20	$ 60	$14 80
2408—For repairing sewer and receiver at northeast corner of Morgan and Mohawk streets	14 73	75	15 48
2409—For reconstructing sewer and receiver at northeast corner of Chippewa and Pearl streets	31 87	73	32 60
2410—For reconstructing sewer and receiver at northeast corner of Batavia and Spring streets	16 82	1 28	17 60
2411—For repairing sewer and receiver at northwest corner of Batavia and Spring streets	12 94	1 87	14 81
2412—For repairing sewer on the west side of Elm street, at crossing of North Division street	11 47	75	12 22
2413—For reconstructing a culvert across Ferry street, about 200 feet easterly from Jefferson street	18 70	69	19 80
2414—For reconstructing a culvert across Ferry street, between Walden street and the Williamsville Road	8 75	50	9 25
2415—For repairing a wood culvert across Twelfth street on southeasterly side of Vermont street	7 90	80	8 70
2416—For repairing a wood culvert across Edward street, on southerly side of Virginal street	8 00	50	8 50
2417—For repairing a wood culvert across Genesee street, on westerly side of Johnson street, continued	11 89	1 11	13 00
2418—For repairing a wood culvert across William street, between Lockwood and Emslie streets	5 00	50	5 50
2419—For repairing Perry street, from Hamburgh street toa point 300 feet easterly therefrom	31 00	1 00	32 00
2420—For constructing a plank crosswalk across Fulton street, on the west side of Alabama street	8 16	50	8 66
2421—For constructing a plank crosswalk across Allen street, on the westerly side of Delaware street	7 68	75	8 43
2422—For repairing the plank sidewalk on the southerly side of Batavia street, between Washington and Ellicott streets	38 24	76	39 00
2423—For repairing the plank sidewalk on the easterly side of Hudson street, between Niagara and Ninth streets	12 96	50	13 46
2424—For repairing the plank sidewalk on the westerly side of Hudson street, between Ninth and Eleventh streets	7 96	50	8 46
2425—For repairing the plank sidewalk on the westerly side of Main street, between Allen and North streets	24 44	50	24 94
2426—For repairing the plank sidewalk on the westerly side of Walnut street, between Eagle and Clinton streets	15 00	50	15 50
2427—For repairing the plank sidewalk on the southwest side of Seventh street, from a point 150 feet southerly from Maryland street to a point 50 feet southerly therefrom	3 12	50	3 62
2428—For repairing a wood culvert across Eleventh street, on the southeasterly side of Vermont street	7 68	52	8 20

The following communication from the City Attorney was presented:

I hereby report that I have examined an abstract of your proceedings concerning assessment rolls from No. 2407 to No. 2428, both inclusive, and am of opinion that said proceedings have been regular and in accordance with the provisions of the charter, excepting as to Nos. 2419 and 2423.

No. 2419 is for repairing Perry street. The assessment was ordered May 20, 1861, and was vetoed June 8, 1861.

No. 2423 is for repairing plank sidewalk on Hudson street. The assessment was ordered May 20, 1861, for $18 24. The Assessors have made an assessment for $13 46 only, and, therefore, have not complied with the order of the Council.

I think that both of the last named assessments are void. Respectfully submitted,

GEORGE WADSWORTH,
City Attorney.

Received and placed on file.

Whereupon Ald. Howard moved that the said several assessment rolls reported in the foregoing communication from the City Clerk, except rolls Nos. 2419 and 2423, be confirmed. Carried.

Ald. Howard moved that roll No. 2419 be annulled and that the subject matter thereof be referred to the Committee on Streets. Carried.

Ald. Howard then moved that roll No. 2423 be annulled and that the subject matter thereof be referred to the Committee on Side and Cross Walks. Carried.

Assessment Roll No. 2376. For the purpose of paying the just compensation awarded to the person or persons owning or having an interest in the land and property taken to lay out Carlton street, from the easterly line of Main street to the northwesterly line of Genesee street, together with the costs and expenses of the ascertainment amount $3,573 67—the time for the consideration of which, and the hearing of parties interested therein had been postponed until to-day was taken up.

Ald. Adams moved that the consideration of the said Roll, and the hearing of parties interested therein be further postponed, until Monday, August 5th, 1861. Carried.

Assessment Roll No. 2398. For widening, straightening and enlarging Buffalo Creek, at the Toll Bridge on Ohio street, by excavating a channel on the northerly side of said Creek, amount $5,935 00, the time for the consideration of which had been postponed until to day was taken up.

Ald. Palmer moved that the consideration of the said Roll be further postponed until Monday, August 5th, 1861. Carried.

PETITIONS.

Of John T. Tilley, for a declaration of sale on lot on the northwest side of Batavia street, lying 62 feet southwest of Ash street, being 20 feet front by 110 feet deep.

Of Same, for same on lot on the west side of Michigan street, lying on the north corner of Genesee street being 88 feet front by 80 feet deep.

Of Emily White, for same on lot on northeast side of Terrace street, from of inner lot No. 134, lying 111½ feet northwest of Church street, being 24 feet front by 37 feet deep.

Of Same, for same on lot on the north side of North Division street, lying 331 feet east of Grosvenor street, being 18 feet front by 118 feet deep.

Of F. G. Pattison, to have interest allowed on General Fund order.

Of Amos Morgan and John Brush, to have sundry tax sales discharged of record.

Of Gideon Hard, to have money refunded on erroneous tax sale.

Of Edward Cook, to have tax sale cancelled. Referred to Committee on Finance.

Of Andrew Grass and others, to have a sewer constructed on sidewalk on northerly side of Batavia street, from Jefferson street to main sewer on Emslie street. Referred to Committee on Sewers.

Of M. Salles, to have a sidewalk constructed on the west side of Ellicott street, between Tupper and Goodell streets. Referred to Committee on Side and Crosswalks.

Of Anthony Schmidt and others, to have remnant of building removed, corner of Genesee and Main streets.

Of The Trustees of the French Protestant Church and others, to have action of Council reconsidered, granting permission to J. Stelluagen to move building from Delaware to Ellicott streets.

For Neptune Hose Company No. 5, to have city make an additional appropriation for repairs to their Hose house. Referred to Committee on Fire.

Of sundry persons, for the construction of a well at the south-east corner of Spring and Hollister streets. Referred to the Committee on Water.

Petition of Joseph Bullymore and others, to have the present Clerk of the Markets removed. Referred to Committee on Markets.

Of B. Sirret and others, to have lamp district extended on both sides of Elm street, between Batavia and Sycamore streets. Referred to Committee on Public Lamps.

Of Thomas J. Murphy, for a license to sell fresh meat at the corner of Tupper and Franklin streets.

Of James Gardiner, for a license to sell fresh meat at the corner of South Division and Jefferson streets. Referred to Committee on License.

Of Louis Knell, for a fireman's certificate. Referred to Fire Commissioners, with power.

Of William Wilkinson, for provision to be made by the Common Council for raising and maintaining a second Buffalo regiment of volunteers. Referred to the Committee on the Defence of the Federal Union.

Petition of Adam Umlauf, for the release of Caspar Diring from confinement in the Erie County Penitentiary.

Laid on the table, to be taken up under order of Reports from the Committee on Police.

Petition of Job Alberger, for a license to sell fresh meat at the corner of Franklin street and the Terrace.

Ald. Yaw offered the following resolution:

That the Mayor be, and he is hereby authorised to grant licenses in accordance with the ordinances adopted by this Council, on the 15th inst., to such persons who had license granted them last year, and at the same place, provided they take their licenses within ten days from this date.

Ald. Goembel moved to amend said resolution, by making the time 30, instead of 10 days,

Ald. Russell moved to amend the same by striking out the words "within 10 days from this date," and insert in place thereof "on or before the first of September." Lost.

Ald. Howard moved to amend the same by making the time 10 days after personal notice from the Clerk of the Markets to take out a license. Amendment accepted by Ald. Yaw.

The question was then taken on the motion of Ald. Goembel, and the same was lost.

Ald. Goembel then moved that the subject matter of said resolution be referred to the Committee on Markets. Lost.

And the said resolution as amended was then adopted.

Petition of sundry persons, to lay out and continue Perry street, sixty-six feet in width, from its present termination to the Old City Line.

Ald. Hanovan offered the following resolution:

That the City Surveyor be, and he is hereby directed to report to the Common Council, a map and description of the land and property necessary to lay out and continue Perry street sixty-six feet in width from its present termination, at a point east of Hamburgh street, at or near the crossing of the Buffalo and State Line Railroad track to the Old City Line. Adopted.

On motion the said petition was then referred to the Committee on Streets, and the certificate of the Assessors attached thereto, was ordered filed.

REMONSTRANCES.

Of Christian Willgans and others, against grading and paving Carolina street, from Niagara to Tupper streets. Laid on the table, to be taken up under order of Reports from Committee on Streets.

Of sundry persons, against constructing a sewer in Maple street. Referred to the Committee on Sewers.

Of Benjamin Eldridge and others, against grading and paving Franklin street, from Niagara to Chippewa street. Laid on the table, to be taken up under order of Reports from Committee on Streets.

ACCOUNTS REFERRED.

Mrs. C. Sturman for cleaning school house No. 26.

John Reger for cleaning school house No. 14.

Harriet J. Patterson paid for cleaning school house No. 17.

John Reger for labor in School District No. 15.

Lewis R. Keyes for clocks for School Department.

Edwin Hurlburt for wood for schools—Referred to the Committee on Schools.

A. D. Morton, for repairing Elmslie street, between Clinton and Peckham streets.—Referred to the Committee on Streets.

John Wannop for repairing receiver on the north side of Elk street, near the State Line Railroad.

Same, for repairing receiver on the south side of Elk street, near the west side of the State Line Railroad.

Same, for repairing receiver at the northwest corner of Clinton and Spring streets.

Same, for repairing receiving sewer at the northwest corner of Clinton and Jefferson streets.—Referred to the Committee on Sewers.

Frederick Schieffer for repairing sidewalk on the easterly side of Gray street, between Genesee and Batavia streets.—Referred to the Committee on Side and Crosswalks.

John J. Leader, for shoeing horses for Fire Department.

J. G. & W. I. Mills, for hay for same.

Wardwell Webster & Co., for oil, &c., for same.

J. H Carpenter, for repairs, &c., for same.

L Flersheim, for clock for same.

Hewson & Co., for repairs for same.

Donald Thane, for washing for same.

George Peugeot, for lanterns for same.

Wm Taylor, for hose for same.

—Referred to the Committee on Fire.

John Wannop, for repairing well at the corner of Niagara and Franklin streets. Referred to the Committee on Water.

Hardiker & Toy (6) for plumbing, &c., for various city offices.

Alonzo Tanner, for disbursements.

Samuel Ely, for services as Inspector of Election, 12th Ward.

Samuel Ely, Jr., for services as Poll Clerk, 12th Ward.

Mrs. Friedman for use of room for special election, 12th Ward.

M. Wiedrich, for disbursements in Receiver of Taxes office. Referred to Committee on Claims.

Jacob Bloom, for commitments to Penitentiary. Referred to the Committee on Police.

Kellogg & Bonnell, for shovel, &c., for markets. Referred to the Committee on Markets.

James G. Turner, for labor and material in laying gas pipe. Referred to the Committee on Public Lamps.

Elias Smith, for "Gun Squad" for 4th of July.

Adam Sneidwein, for firing gun squad 4th of July. Referred to Special Committee on 4th of July, &c.

Ald. Adams, by unanimous consent, offered the following:

Resolved, That section 14, of chapter XII, of the city ordinances, entitled of nuisances, adopted July 15th, 1861, and approved by the Mayor July 16, be and the same is hereby repealed. Adopted. Ayes, 22: Noes, 0.

Ald. Hanovan, by unanimous consent, offered the following:

Resolved, That section 6 of chapter X, of the ordinances as amended and enacted by this Council at its last session, be and the same is hereby amended, so as to read as follows:

§6. It shall be lawful for any person to kill any dog or bitch found running at large in this city, contrary to section third of this chapter. Adopted. Ayes, 20; Noes, 1.

REPORT OF COMMITTEES.

Ald. Howard, from the Committee on Finance, reported in favor of the adoption of the following resolution:

Resolved, That on filing with the Comptroller the petition of S. B. Hard, with the proofs accompanying the same, the Comptroller be and he is hereby authorized to discharge or cancel of record the whole or any portion of the certificate of sale of February 5, 1853 for $79 18, for non-payment of General City Taxes of 1851, of outer lot No. 43 in said city, upon the execution and delivery to the city, by said Hard or other parties, a bond with sureties satisfactory to said Comptroller, conditioned to indemnify the city for all loss, damage or costs, or claim therefor, by reason of discharging the whole or any proportionate part of such certificate as shall be discharged. Adopted.

Also, in favor of the adoption of the following:

The Finance Committee, to whom was referred the petition of Peter Loat, asking that his lot, situate on the east side of Kaene street and commencing 350 feet south of Genesee street, being 50 feet front by 100 feet deep, be discharged from a certain tax sale, made February 1st, 1851, for non-payment of an assessment for building School House in District No. 12, would respectfully report:—

That on examination of the roll and return of said Assessment, they find that the tax on said lot was paid November 16, 1849, and consequently the sale of said lot is erroneous. And would therefore reommend that the Comptroller be directed to discharge the said tax sale from the records of his office, and correct the said record to conform to the return of the collector on the said roll. Adopted.

Ald. Wheeler, from the Committee on Schools, report in favor of the adoption of the following resolutions:

That the Superintendent of Schools be, and he is hereby requested to notify the Principal of each of the several district schools in this city, of the amount to which said districts will be entitled respectively, in the apportionment of the library money, and direct said Principals to furnish him with a list of the books which, in their opinion, it is advisable to purchase for the school library,

in their respective districts, with the amount to which said districts may be respectively entitled in said apportionment, and that the Superintendent be, and he is hereby requested to report such lists to this Council. Adopted.

That the Committee on Schools be authorized to advertise for six days in the official paper, and in the Buffalo Telegraph, for proposals for furnishing wood for the Public Schools for the ensuing year, and report.

Ald Dayton moved to amend said report by striking out the Buflalo Telegraph, and inserting instead the Buffalo Demokrat.

The Chair decided that the motion of Ald. Dayton was not in order, for the reason that the Buffalo Telegraph had already been designated by the Council as a German paper, in which the City notices should be published, and an appropriation made to pay same.

And the said report was then adopted.

Also, reported in favor of allowing the following accounts, and of drawing orders for same, viz:

E. Christoph, for dusters for schools—$14 75.

John Schienlen, for cleaning School House No. 16—$13.

J. M. Daniel, for wood, &c, for School No. 4—$3 94.

Wesley Emmons, for repairs, &c., at sundry schools—$174 76.

A. P. Yaw & Son, for brooms—$24.

C. M. K. Paulison, for Cyclopedias—$33.

C. N. Otis, for plans, &c., for school house in District No. 15—$15.

Phinney & Co., for books, &c., for schools in 1860—$55 64.

H. Thompson Jr. & Co., for sundries for School No. 19—$7 14. Adopted.

Ald. Palmer, from the Committee on Streets, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause North Canal street to be repaired, from Emslie street to Hagerman street, by opening the gutter and filling holes with brick-bats, and reconstructing a culvert across Hagerman street, at an expense not exceeding $25, and report. Adopted.

That the Street Commissioner cause the Culvert across Cherry street, at the intersection of Spring street, to be opened and reconstructed, at an expense not exceeding $18, and report. Adopted.

That the Street Commissioner cause Carlton street to be repaired, from Main to Washington street, at an expense not exceeding $10, and report. Adopted.

That the City Attorney is hereby directed to examine the proper records, and report to this Council whether Peach street, or any portion thereof, is or is not a public street or highway, and if the same is legally laid out. Adopted.

That the Street Commissioner cause Tupper street to be repaired, between Ellicott and Oak streets, by opening gutters and filling holes, at an expense not exceeding $10 and report. Adopted.

That the Street Commissioner cause the carriageway on the westerly side of Cazenovia Terrace, from the crosswalk on the southerly side of Court street to a point 100 feet southerly therefrom to be repaired at an expense not exceeding $50 00 and report. Adopted.

That the Street Commissioner cause Goodell street to be repaired between Michigan and Mulberry streets, by filling holes, at an expense not exceeding $10 00 and report. Adopted.

That the Street Commissioner cause the wood culvert across Eleventh street, on the southeasterly side of Maryland street, to be repaired at an expense not exceeding $6 00 and report. Adopted.

That the Common Council of the City of Buffalo intend to order Carolina street graded and a carriageway paved therein, 30 feet wide, and curbing set on both sides of said carriageway, from the northeast line of Niagara street, to the curb line on the southerly side of Tupper street, and crosswalks laid across said Carolina street, on both sides of all streets crossing said street, and at the intersection of Tenth and Eleventh streets, and all necessary sewers and receivers constructed in said street, between the above named points, and that the City Clerk cause the necessary notice of such intention to be duly published, and the City Surveyor estimate the quantity of the several kinds of work necessary to do the same, also the number and location of the necessary sewers and receivers, and report the same to this Council.

The remonstrance of C. Willganz and others against the grading and paving of Carolina street, between Niagara and Tupper streets, presented to the Council this day, and laid upon the table, was taken up.

Ald. Palmer moved that the whole subject be referred back to the Committee on Streets. Carried.

That the Street Commissioner cause the easterly side of Main street to be repaired, between the crosswalk in front of the main entrance to the American Hotel and the northerly line of Eagle street, by raising the gutter in a manner so that the surface water will pass off freely, at an expense not exceeding $70, and report. Adopted.

That the Common Council of the city of Buffalo intend to order the carriageway in Delaware street gravelled and the gutters opened on both sides of said carriageway from Virginia street to North street, and from a point 200 feet north from North street to Utica street, and that the City Clerk cause a notice of such intention to be duly published in ten successive numbers of the city paper. Adopted.

That the Street Commissioner cause Hamburgh street to be repaired from Perry to Elk street, by filling holes with gravel or cinders and opening the gutters, at an expense not exceeding $25, and report. Adopted.

Also in favor of allowing the following accounts and of drawing orders for the same:

Jno. Erb, for cleaning streets in June, $10 88.

John Fisher, for same, $11 81.

Phillip Schan, for same, $10 50.

Barnhart Henry, for same, $5 62.

George Fisher, for same, $11 44.

Lauren Williams, for repairing bridge across Prime Slip on Canal street, $1 82. Adopted.

Also in favor of directing the City Assessor to make assessments as follows:

Assess $10 00 for repairing the gutter on the southeasterly side of Genesee street, between Ash and Spruce streets. Adopted.

Assess $8 00 for reconstructing the wood culvert across Carlton street, on the westerly side of Mulberry street. Adopted.

Also in favor of the adoption of the following resolution:

That it is hereby ordered and determined that Huron street be graded and a carriageway paved therein 36 feet wide, and curbing set on both sides of said carriageway from the curb line on the westerly side of Morgan street to the New York State Reservation line, and that a cross-walk be laid across Huron street, at the intersection of the walk on the northeast side of Ninth street with said carriageway, and that the Street Commissioner is hereby directed to advertise six days in the city paper for proposals for doing the above named work, and report such proposals to this Council. Adopted—Ayes, 21; Noes, 0.

Also in favor of directing the City Assessors to make assessments as follows:

Assess $8 00 for constructing a wood culvert across Fulton street, on the easterly side of Alabama street.—Adopted.

Assess $75 00 for grading and working Franklin street, from Chippewa street to Tupper street. Adopted.

Assess $7 75 for repairing the wood culvert across York street on the southerly side of Fourteenth street. Adopted.

Assess $39 50 for repairing Jefferson street, between South Division and Clinton streets. Adopted.

Also in favor of the adoption of the following resolutions:

That the Street Commissioner cause the bridge across Prime Slip on Canal street, between Main and Lloyd streets, to be repaired, in accordance with the order passed May 20th, 1861. Adopted.

That it is hereby ordered and determined by the Common Council of the city of Buffalo that Franklin street be graded, and a carriage-way paved therein, thirty-eight (38) feet wide, and curbing set on both sides of said carriage-way, from the northeast line of Niagara street to the curb line on the southerly side of Chippewa street, and that cross walks be constructed across said Franklin street on both sides of all streets crossing said Franklin street between the points above named, in accordance with the petition on file in the City Clerk's office, asking for said improvement, signed by a majority of the persons liable to be taxed or assessed therefor.

The remonstrance of Benj. Eldridge and others against the proposed improvement, presented to the Council this day and laid upon the table temporarily, was now taken up.

Ald. Dayton moved to amend said report by adding thereto the following:—

And that, when an assessment shall be confirmed to defray the expense of said work, the Street Commissioner contract with the lowest bidder for doing said work in accordance with the proposal reported to this Council, in his report of the 12th of June, 1861. Lost.

Ald. Scheu moved that said report, together with the remonstrance of Benj. Eldridge and others, be referred back to the Committee on Streets. Lost. Ayes 11. Noes 11.

Ald. Goemble moved that the said report be postponed for two weeks, to be taken up under order of reports from the Committee on Streets. Lost.

The question was then taken up on the adoption of aid report, and the same was lost for want of a two-third vote. Ayes 12. Noes 10.

Ald. Brush, from the Committee on Sewers, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause the receiving sewer at the northeast corner of Perry and Hayward streets to be reconstructed, at an expense not exceeding $14, and report. Adopted.

That the Street Commissioner cause the receiving sewer at the northwest corner of Perry and Hayward streets to be reconstructed, at an expense not exceeding $14, and report. Adopted.

That the Street Commissioner cause the sewer and receiver on the west side of Maiden Lane about 25 feet northerly from Fly street to be reconstructed, at an expense not exceeding $12, and report. Adopted.

That the City Surveyor is hereby directed to make a profile for a sewer eighteen inches in diameter to accommodate the property holders on both sides of Hickory street, between Clinton and William streets, said profile to show the point of commencement and termination; also, the length and depth of excavation necessary for such sewer, and report the same to this Council. Adopted.

That the Street Commissioner cause the main receiving sewer in Louisiana street to be extended through and connected with the abutments (now in process of construction) for the bridge across the Main and Hamburgh Street Canal on Louisiana street, at an expense not exceeding $50, and report. Adopted.

Also, in favor of directing the City Assessors to make assessments as follows:

Assess $12 63 for repairing the sewer and receiver at the northwest corner of Batavia and Elm streets. Adopted.

Assess $13 85 for repairing the sewer and receiver at the southwest corner of Seneca and Van Rensselaer streets. Adopted.

Assess $16 19 for repairing the sewer and receiver at the southwest corner of Batavia and Elm streets. Adopted.

Assess $15 68 for repairing the sewer and receiver at the northwest corner of Eagle and Main streets. Adopted,

Also, in favor of allowing the following accounts, and of drawing orders for the same, viz:

John Wannop, for repairing sewer and receiver at the northwest corner of Elm and Sycamore streets, $6 81.

Same, for repairing receiving sewer at the southwest corner of Pratt and Batavia streets, $8 32.

O. Butler, Jr., for repairing receiver on the southerly side of Exchange street at the easterly end of the bridge over Little Buffalo Creek, $7 07.

Same, for repairing sewer and receiver at the northeasterly corner of Genesee and Spruce streets, $8 24.

Same, for same at the northwest corner of Chicago and Exchange streets, $5 65.

John Wannop, for repairing sewer and receiver at the northeast corner of the Market Ground and Elk street, $2 17.

O. Butler, Jr., for repairing sewer and receiver in front of the Washington Market, on the easterly side of Washington Street, $11 37.

John Wannop, for repairing the sewer and receiver at the public well on the northwest corner of Perry and Hayward streets, $4 25.

O. Butler, Jr., for repairing sewer and receiver at the southeast corner of Exchange and Clinton streets, $4 12. Adopted.

Also, in favor of the adoption of the following resolution:

That the Common Council of the city of Buffalo intend to order the construction of a brick sewer, two feet in diameter in the clear in Maple st., from the termination of the present sewer in Maple street to Virginia street, and that the City Clerk cause the necessary notice to be given. Adopted.

Ald. Swartz, from the Committee on Side and Cross walks, reported in favor of the adoption of the following resolutions:

That the owners of land on the easterly side of Michigan street, between Ohio and Elk streets, cause a sidewalk to be constructed or repaired in front of their respective lots, by laying a walk four feet wide, of good hemlock plank 3 inches thick, where there is no plank laid, and substituting new planks in the walk now laid, where necessary, within ten days, and if not done within that time that the Street Commissioner cause the same to be done, at an expense not exceeding $35, and report.—Adopted.

That the owners of land on the westerly side of Michigan street, between a point 80 feet northerly from Vine street, and a point 80 feet northerly from the first named point, cause a sidewalk to be constructed in front of their respected lots, six feet wide, of good flagging stone within ten days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $60, and report. Adopted.

That the owners of land on the westerly side of Herman street, between Genesee st. and North street (so-called) cause a sidewalk to be constructed in front of their respective lots, 3 feet wide, of good hemlock plank, 3 inches thick where not already constructed, within five days, and if not done within that time that the Street Commissioner cause the same to done at an expense not exceeding $60 00, and report. Adopted.

Also in favor of directing the City Assessors to make assessments as follows:—

Assess $14 63 for repairing the stone cross walk across Clinton street on the Easterly side of Elm street. Adopted.

Assess $14 91, for repairing the stone cross walk across Clinton street, on the westerly side of Michigan street.—Adopted.

Assess $20, for repairing the stone cross walk across Swan street, on the westerly side of Elm street. Adopted.

Assess 29 84, for reconstructing a plank sidewalk on the southeast side of Lloyd street, between the westerly line of Canal street and the easterly line of Prime street. Adopted.

Assess $7 00, for repairing the sidewalk on the southerly side of Ohio street, between Main and Washington streets. Adopted.

Assess $8 96, for repairing the sidewalk on the east side of Kinney street, between Seneca and Folsom streets. Adopted.

Assess $12 96, for repairing the sidewalk on the easterly side of Hickory street, between William and Batavia streets. Adopted.

Assess $15 12, for repairing the sidewalk on the southerly side of Eagle street, between Spring and Jefferson streets. Adopted.

Assess $8 32, for constructing a plank crosswalk across Clinton street, on the easterly side of Smith street. Adopted.

Assess $7 20, for repairing the plank crosswalk across Cedar street, on the northerly side of Clinton streets.—Adopted.

Assess $6 88, for reconstructing a plank cross walk across Spring street, on the southerly side of North Division street. Adopted.

Assess $7 72, for reconstructing a plank cross walk across Cedar street, on the north side of North Division street. Adopted.

Assess $6 88, for reconstructing plank cross walk across Carlton st., on the easterly side of Elm street. Adopted.

Also, reported in favor of allowing the following accounts and of drawing orders for same:

George Miller, for repairing stone crosswalk across South Division street, on the westerly side of Chestnut street—$6.

Lauren Williams, for repairing plank crosswalk across Spring street, on the northerly side of South Division street—$6 40.

Lauren Williams, for repairing plank crosswalk across North Division street, on the westerly side of Spring street—$4 48. Adopted.

Also in favor of the adoption of the following resolutions

That the owners of the land on the northerly side of South Division street, between Pine street and the east line of public school lot No. 6, cause a sidewalk to be repaired in front of their respective lots, by substituting good new hemlock plank, three inches thick, where necessary, within ten days, and if not done in that time, that the Street Commissioner cause the same to be done, at an expense not exceeding $30, and report. Adopted.

That the Street Commissioner cause the plank cross walk across Virginia street, on the westerly side of Tenth street, to be repaired, at an expense not exceeding $8, and report.

Ald. Felton moved to amend said resolution by limiting the expense of said work to $5.

Ald. Swartz accepted the amendment, and the resolution, as amended, was adopted.

That the Street Commissioner cause a plank crosswalk constructed across Austin street, on the easterly side of Niagara street, at an expense not exceeding $10, and report. Adopted.

That the Street Commissioner cause a plank crosswalk reconstructed across Hickory street, on the northerly side of Genesee street, at an expense not exceeding $8, and report. Adopted.

Also, in favor of directing the City Assessors to make assessments as follows:

Assess $17 60 for repairing plank sidewalk, on the northwest side of Maryland street, between Tenth and Cottage streets. Adopted.

Assess $3 28 for repairing plank sidewalk, on the north side of Huron street, between Ellicott and Oak streets. Adopted.

Assess $9 96 for constructing a plank crosswalk across Jefferson street, on the southerly side of Batavia street. Adopted.

Assess $7 68 for reconstructing a plank crosswalk across Allen street, on the easterly side of Delaware street. Adopted.

Assess $8 64 for constructing a plank crosswalk across Tupper street, on the northwesterly side of Carolina street. Adopted.

Assess $16 80 for repairing plank sidewalk on the easterly side of Walnut street, between Eagle and Clinton streets. Adopted.

Assess $7 84 for repairing the plank crosswalk across Fulton street, on the westerly side of Hamburgh street. Adopted.

Assess $7 74 for repairing the plank crosswalk across Grosvenor street, on the northerly side of South Division street. Adopted.

Assess $5 90 for repairing plank sidewalk on the westerly side of Hickory street, between Batavia and Sycamore streets. Adopted.

Assess $16 00 for repairing plank sidewalk on the westerly side of Spring street, between Sycamore and Genesee street. Adopted.

Assess $5 28 for repairing plank sidewalk on the southerly side of Genesee street, between Mortimer and Jefferson streets. Lost.

Assess $13 88 for repairing plank sidewalk on the southeast side of Genesee street, between a point 250 feet north easterly from Herman street, and a point 150 feet northeasterly therefrom. Adopted.

Assess $11 20 for repairing plank sidewalk on the northerly side of Genesee street, between Oak and Elm streets. Adopted.

Assess $17 76 for repairing plank sidewalk on the west side of Elm street, between Tupper and Goodell streets. Adopted.

Ald. Felton was called to the Chair.

Ald. Yaw, from the Committee on Fire, reported in favor of allowing the following accounts, and of drawing orders for the same:

Felthousen & Russell, for sundry repairs for Fire Department—$45 26.

Henry Swartz, for same, charged at $102 29, allowed at—$96 49.

Thomas B. French, for same, charged at $70 10, allowed at—$65 85.

Bangasser & Bros., for same—$57 19.

Henry S. Riddle, for washing, &c., for Fire Department—$9 10.

A. P. Yaw & Son, for sundries for same—$23 84.

D. C. Weed & Co., for sundries for same—$32 70.

Dickey & Marsh, for oats, &c., for same—$22 16

Philip Snyder, for hay for same—$12 21.

H. Kay, for pasturing horses—$4 50.

Isaac Holloway, for repairs in front of Engine House in Chicago near Seneca street—$14 26.

Same, for repairs in front of Engine House in Niagara near Mohawk street—$9 25.

Wm. I. Williams, for repairs to house of Steamer "City of Buffalo,"—$39 49.

Same, for repairs to house of Engine No. 6—$39 80.

Same, for repairs to Bell Tower—charged at $18 69—allowed at—$16 94.

Clapp, Mathews & Waite, for printing for Fire Marshal—$4 00.

William Parker, for sundry repairs for Fire Department—$41 50.

Geo. Day, for plumbing &c., for Fire Department—$26 71. Adopted.

Also in favor of the adoption of the following resolutions:

That permission is hereby granted to George J. Hill to erect a wooden building 22 by 35 feet upon his lot on Tenth street, between Carolina and Georgia streets, such building to be one and a half stories in height, and to be built under the direction of the Fire Marshall, and subject to the further order of this Council. Adopted—Ayes, 21; Noes, 0.

That permission be and is hereby granted to E. B. Lyman to raise the wooden building on the southeast corner of Niagara and Morgan streets, about 1½ feet, the same to be done under the direction of the Fire Marshal, and subject to the further order of this Council Adopted—Ayes, 17; Noes, 0.

That permission is hereby granted to Wm. J. Lavery to raise the roof of the kitchen in the rear of his house No. 176 Franklin street, to the same height as that of the main building, the same to be done under the direction of the Fire Marshal, and subject to the further order of this Council. Adopted. Ayes, 21; Noes, 0.

That permission is hereby given to B. B. Clark to erect a frame kitchen in the rear of his house on Niagara, near Pennsylvania street, such kitchen to be 16 by 20 feet square, and 8 feet in height, and built under the direction of the Fire Marshal, subject to the further order of this Council. Adopted. Ayes, 22; Noes, 0.

That permission be granted to Charlotte Palmer to erect a frame building on lot on the easterly side of Ninth street, about 100 feet south of Hudson street, the same to be done under the direction of the Fire Marshal, and subject to the further order of this Council. Size 20x50, and one and a half stories high. Adopted. Ayes, 20; Noes, 0.

That the time for the completion and delivery to the city of 2,000 feet of leather hose, according to the contract made on the 11th day of April, 1861, in which William Taylor agrees to furnish to the city such hose within 90 days from that date, be and the same is hereby extended for the further space of five (5) weeks from expiration of contract, the terms and conditions of the contract above named to remain unaltered in each and every other respect. Adopted.

That the Fire Marshal be and he is hereby directed to notify the owners of the Buffalo Agricultural Works to raise the chimney of their works to a height sufficient to keep the sparks and cinders from the same from injuring, defacing or in any way endangering the property in the immediate vicinity. Adopted.

That an order for $95, on the General Fund, 1861, Fire Department, be drawn in favor of William I. Williams, in full for a settlement of his contract for building a brick barn on Chicago street. Adopted.

That permission be and is hereby granted to Charles F. Grey to erect a wooden kitchen, 12 by 18 feet, and 10 feet high, to be attached to the brick building on the northwest corner of Carolina and Sixth streets, such building to be erected under the direction of the Fire Marshal, and subject to the further order of this Council. Adopted. Ayes 21; Noes. 0.

That the Fire Marshall be, and he is hereby directed to advertise for 5 days in the city paper for proposals (with plans and specifications accompanying same) for building three hose carts, said carts to be similar in size and finish to the one now in use by the Fire Department, or modified and improved as the bidder shall elect, such proposal to state the time when the contract will be completed, and this Council expressly reserves the right to award the contract for such work to the party whose bid they shall deem best for the interests of the city. Adopted.

That permission is hereby granted to C. Bartholmew to erect a wooden building in the rear of building on the east side of Barwell Place, about 40 feet south of Scott street, such building to be two stories high, and 16x45 feet, and to be built under the direction of the Fire Marshal, and subject to the further order of the Council. Adopted. Ayes, 21; Noes, 0.

That the prayer of the petition of John Brinkworth, asking permission to move three wooden buildings from Fulton street to the south side of Perry street, be and the same is hereby denied.

Ald. Hannovan moved to refer said report back to Committee on Fire. Carried.

Ald. Jones, from the Committee on Water, reported in favor of allowing the following accounts, and of drawing orders for the same:

Klein & Dobinson, for repairing pump to well corner of Clinton and Hickory streets—$2 25.

Same, for repairing pump to well corner of Elm and Batavia streets—$3 44.

Same, for repairing pump to well corner Massachusetts and Thirteenth streets—$1 50.

Same, for repairing pump to well corner of Fulton and Hayward streets—$2 13.

Same, for repairing pump to well on Perry street, between Chicago street and Canal Slip—$7 58.

Same, for repairing pump to well corner of Seneca and Pearl streets—$2.

Same, for repairing pump to well corner of Goodall and Elm streets—$1 75.

Same, for repairing pump to well on South Division street, between Spring and Jefferson streets—$1 75.

Same, for repairing pump to well on Seventh street, between Hospital and Georgia streets—$2.

Same, for repairing pump to well corner of Mulberry and Goodall streets—$1 75. Adopted.

Ald. Dayton, from the Committee on Claims, reported in favor of allowing the following accounts and drawing orders for the same:

O. J. Green, for searches and recording sundry deeds for city, charged at $72 00, allowed at $61 58.

Christopher Measel, for services in Assessors' office—$49 23.

Joseph P. Loersch, for same—$35 38.

Bradly Rumsey, for same—$33 84.

Samuel Beals, for same, charged at $60 00 allowed at $46 15.

Clapp, Matthews & Waite, for printing for Assessors, charged at $64 50, allowed at $45 00.

Martin Taylor, for letter press, &c., for Mayor's office—$17 35.

Clapp, Matthews & Wait, for blank book for Treasurer—$4 50.

Same, for printing monthly reports for Board of Health, charged at $9 00, allowed at $7 25.

Same, for blank book, &c., for Comptroller's office——$21 50.

Same, for printing notices for Harbor Masters—$2 00.

Same, for printing "cases" for City Attorney—$8 00.

Same, for printing blanks, &c., for Street Commissioner—$6 00.

Breed, Butler & Co., for stationery, charged at $22 47, allowed at $22 02.

D. C. Weed & Co., for sundries for City Hall—$1 38.

Breed, Butler & Co., for stationery, &c, for Fire Marshal—$5 50.

Same, for stationery, &c., for Treasurer's office, charged at $8 52, allowed at $8 47.

Same, for stationery, &c, for Street Commissioner, charged at $16 53, allowed at $16 00.

Same, for stationery for Mayor's office, charged at $7 45, allowed at $7 20.

Same, for stationery, &c., for City Attorney, charged at $7 93, allowed at $7 87.

Same, for stationery, &c., for City Clerk's office, charged at $54 12, allowed at $51 47.

Same, for stationery, &c., for Auditor—$3 46.

Same, for stationery, &c., for Receiver of Texas office, charged at $7 73, allowed at $7 26.

Same, for stationery, &c., for Assessors—$13 90.

William Ashman, for services in Assessors' office—$21 54.

Martin Taylor, for tape for Surveyor—$5 00.

Breed, Butler & Co., for stationery, &c., for Surveyor, charged at $26 09 allowed at $25 01.

P.H. Bender, for publishing Council proceedings—$137 50.

R. Wheeler, & Co., for Directories for City offices and Police tations—$24 00.

John Hoffman, for labor at Jubilee Watter Works—$14 50.

John Wolfle, for same—$20 50. Adopted.

Ald. Mills, from the Committee on Police, reported in favor of allowing the following accounts and drawing orders for the same.

Maurice Courtney, for paint for Police Station No. 2, charged at $10 82, allowed at—$10 67.

Jacob Bloom, for commitments to Penitentiary—$13 88.

Breed, Butler & Co., for stationary for Chief of Police—$3 80.

Hardiker & Toy, for repairs of Police Station No. 2—$17 58.

James Van Valkenburg, for commitments to Penitentiary—$15 75.

George Drullard, for disbursements—$10 38. Adopted.

Also, in favor of the adoption of the following resolutions:

That the Superintendent of the Erie County Penitentiary be and he is hereby directed to release from confinement Nelly Clark, convicted of disorderly conduct on the 21st ultimo, by Justice Lampman, and sentenced to confinement in said Erie County Penetentiary for 60 days. Adopted. Ayes 21; Noes 0.

That the Superintendent of the Erie County Penetentiary be directed to release from confinement therein Elizabeth Guise, convicted before Justice Lampman, on the 3d day of June, and sentenced to pay a fine of $20 00, or confinement in said Penitentiary for 60 days. Adopted. Ayes 20; Noes 0.

That the City Attorney be and he is hereby authorized and directed to defend the suit brought against Jerome B. Shumway and Hugh Boyd, Policemen, by Bartholomew Logan, for acts alleged to have been committed while acting as policemen; provided, however, that the city shall not in any manner become responsible for the expense of such suit, the costs incurred, the judgment rendered, or any other liability whatever.

The President resumed the Chair.

Ald. Felton moved to refer said report back to the Committee on Police. Carried.

Ald. Storck, from the Committee on Markets reported in favor of the adoption of the following resolution:—

That the Clerk of the Markets, and the Committee on Markets be authorized to lease the stalls in the several markets, for the term of one year from the first day of April last, upon the following terms, viz:

The stalls in the Niagara and Clinton Markets, at a price not to exceed ten dollars for each stall.

The stalls in the Elk street and Washington Markets at and upon the same terms the same were leased in the year 1860.

Ald. Allen moved to amend said report by striking out all after the words "April last." Carried.

And the report as amended was adopted.

Ald. Howard moved that when the Council adjourn, it adjourn to meet at one minute past 7 o'clock this evening. Carried.

Also in favor of allowing the following account and drawing an order for the same:

Breed, Butler & Co., for sundries for Clerk of the Markets, $2 25. Adopted.

Also in favor of the adoption of the following:

That section sixteen of Chapter IX. of the ordinances of the city of Buffalo, entitled of "Markets and Sale of Meats, etc.," be and the same is hereby amended so as to read as follows, viz:

§ 16. It shall be the duty of the Clerk of the Markets from time to time to visit and examine the several places and premises at which fresh meat is authorized to be sold, and to see that all the ordinances relating to markets and the sale of meats are strictly enforced; and the said clerk is hereby authorized and directed to collect the rents of stalls or stands in and about the public markets. It shall be the duty of the clerk of the markets to deposit weekly with the City Treasurer any and all moneys collected or received by him for the markets, or for other purposes; and it shall also be the duty of said clerk to report monthly to this Council a statement in detail, showing the amounts received and from whom, and for rents of stalls, stands or spaces, and the amount due and owing for stalls in and outside of the market buildings, and from whom; such report to be made out on the first Monday of each month, and the said clerk shall for the purpose of carrying out this ordinance provide a suitable book or journal at the expense of the city, if he has not already one, in which he shall keep a correct account showing all the debit and credit balances of all persons holding stalls in the public markets and of all persons from whom collections have been made outside the markets and otherwise. Adopted. Ayes, 21; Noes, 0.

The hour of 7 o'clock, P. M. having arrived the President declared the Council adjourned to meet at one minute past 7 o'clock this evening.

OTIS F. PRESBREY, City Clerk.

IN COMMON COUNCIL,
Buffalo, Monday, July 22, 1861,
At one minute past 7 o'clock P. M.

Present, Asaph S. Bemis, President of the Council, and Ald. Adams, Allen, Beckwith, Brush, Crowder, Dayton, Felton, Hannovan, Howard, Jones, Palmer, Rutter, Scheu, Storck, Schwartz, Wheeler, and Yaw.

Absent—Ald. Dorr, Goembel, Grass, Mills, Pratt, Russell, Savage, Walsh.

The reading of the minutes of the last meeting was dispensed with.

Ald. Howard moved that the Sergeant-at-arms be directed to bring to the Council such absent members thereof as he may be enabled to find. Carried.

REPORTS OF COMMITTEES.

Ald. Allen, from the Committee on Wharves, Harbors and Ferries, reported in favor of the adoption of the following resolution:

That the City Clerk and Chairman of the Committee on Wharves, Harbors, and Ferries be directed to contract with ———————— to remove the wreck now in Buffalo Creek, nearly opposite the Buffalo Elevater, to such a point outside the south pier as the same shall not obstruct the navigation of the harbor; the same to be done at an expense not exceeding $400 00. Adopted.

On motion, Ald. Dayton was excused from further attendance at this meeting of the Council.

Ald. Allen moved that the City Attorney be directed to notify Captain C. L. Gager, the supposed owner of the wreck referred to in the foregoing resolution, to remove said wreck within ten days, and if not done within that time that the city will cause the same to be removed and commence an action against the said Gager to recover for any costs or damages the City may be put to in consequence of causing the said wreck to be removed. Carried.

Ald. Wheeler, from the Committee on Public Grounds, reported in favor of allowing the following accounts:

H. C. Oliver, for ice tongs for City Hall—$0 75.

S. Joslyn, for repairing Fountain in Johnson Park—$7 13.

J. S. Provoost, for ensign for Liberty Pole—$57 00. Adopted.

Ald. Hanovan moved that the Council do now adjourn. Lost.

Ald. Hanovan asked to be excused from further attendance at this meeting of the Council.

Ald. Beckwith moved that Ald. Hanovan be excused. Lost.

Ald. Crowder, from the Committee on New Territory, reported in favor of allowing the following accounts and of drawing orders for the same:

Isaac Holloway, for constructing sewer and receiver on the easterly side of Niagara street, at the southerly end of bridge across Scajaquada Creek—$60 00.

Same, for same on the westerly side of Niagara stree at the southerly end of bridge across Scajaquada Creek—$60 00.

Samuel Swartz, for reconstructing receiver on the easterly side of Niagara gtreet, near the southerly end of the bridge across Scajaquada creek—$24 38.

Same, for same on the westerly side of Niagara street, near the southerly end of the bridge across Scajaquada creek—$25 37.

Alvin Joslyn, for repairing bridge across Cazenovia creek, on the road leading from the Aurora Plank Road to Martin's Corners—$39 95. Adopted.

Also, in favor of the adoption of the following resolution:

That the Street Commissioner is hereby directed to notify the owners of land fronting on Downing street, between lots No. 264 and 265, and the Buffalo and White's Corners Plank Road, to remove all obstructions from said Downing street, in front of their respective lots within 10 days, and if not done within that time that he cause the same to be done and report the expenses to this Council. Adopted.

That the Common Council intend to order Downing street made, by working the same from lots No, 264 and 265 to the Buffalo and White's Corners Plank Road, and that the City Clerk cause the necessary notice to be published. Adopted.

That the Street Commissioner cause the bridge across the ravine on Mineral Spring street, about 50 rods northeasterly from the Aurora Plank Road, to be repaired by putting in new stringers and bents, and covering the same with new hard wood plank, at an expense not exceeding $50, and report. Adopted.

Also in favor of ordering the City Assessors to make assessments as follows:

Assess $5 60 for constructing a plank crosswalk across Forest Avenue on the easterly side of Niagara street. Adopted.

Assess $4 70 for repairing the wood culvert across Forest Avenue on the westerly side of Delaware street. Adopted.

Also in favor of allowing the following accounts and of drawing orders for same:

Adam M. Deihl, for repairing bridge on Williamsville road, about 400 feet northly from Scajaquada Creek—$6 27.

Wm. Farmer, Jr., for repairing wood culvert across Albany street, on west side of North Washington street—$4 07.

E. F. Blackman, for repairing wood culvert across Breckenridge street, on easterly side of North Jefferson street—$4 97.

Adam M. Deihl, for repairing bridge across Scajaquada Creek on Williamsville road—$5 69.

A. D. Morton, for repairing wood bridge across William street, between Lockwood street and N. Y. Central Railroad track—$9 75.

C. F. Blackmond, for repairing wood culvert across Chenango street on northwesterly side of Rhode Island street—$6 00.

William Farmer, Jr., for repairing bridge on School street, between Twelfth and Albany streets—$9 52.

Same, for repairing wood culvert across Tenth street on northwesterly side of Massachusetts street—$6 25.

Same, for repairing wood culvert across Tenth street, on southeasterly side of Massachusetts street—$5 23.

Same, for repairing wood culvert across North Adams street, on southeasterly side of California street—$3 93.

Same, for repairing wood culvert across Forest Avenue between North Washington and Dewitt streets—$6 05.

Same, for repairing wood culvert across North Washington street, on southerly side Bird Avenue—$5 83.

Henry Harter, Jr., for repairing pavement in Niagara street, at north end of bridge across Scajaquada Creek—$48 31. Adopted.

Also reported in favor of directing the City Assessors to make assessments as follows:

Assess $23 97 for repairing Massachusetts street, between Tenth and Fourteenth streets. Adopted.

Assess $7 65 for repairing the wood culvert across Forest Avenue, about 1,700 feet west of Delaware street. Adopted.

Assess $49 25 for repairing Delaware street, between Chapin and Amherst street. Adopted

Also, in favor of the adoption of the following resolutions:

That the plank road in Genesee street be repaired in front of the following described lots of land and locations; to wit:

Lot on the southerly side of Genesee street being 51 57-100 feet front, commencing 51 57-100 feet northeasterly from Adams street.

Lot on the southerly side of Genesee street 75 71-100 feet front, commencing at the northeast corner of Johnson street.

Lot, 75 53-100 feet front, commencing at the northeast corner of Herman street.

Lot, 75 52-100 feet front, commencing 75 53 100 feet northeast from Herman street.

Across Herman street, on the southerly side of Genesee street—at an aggregate expense not exceeding $25; and that the Street Commissioner is hereby directed to cause the same to be done, and report the expense severally to this Council. Adopted.

That the Military Road be repaired from the State Ditch to the city line, at an expense not exceeding $50, and that the Street Commissioner is hereby authorized and directed to cause the same to be done and report the expense to this Council. Adopted.

SPECIAL COMMITTEES.

Ald. Howard, from the Special Committee on Black Rock Parks, reported in favor of allowing the accounts of Samuel Green, for services as keeper of Parks on Prospect Hill for months of May and June; amount $52, and of drawing an order for same. Adopted.

Ald. Howard, from the Special Committee on Reception of President elect, reported in favor of allowing the account of Sherman & Barnes for services rendered and materials furnished at reception of President Lincoln, amount $14, and of drawing an order for same. Adopted.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald Howard.

That the Fire Marshal, City Clerk and Auditor, be and they are hereby directed to advertise for six days in the city paper for proposals to furnish coal for the various public buildings and the different departments of the city government, such notice to specify the kind, quality and quantity required for the year 1862, and that they be directed to contract with the party or parties who shall propose to furnish such coal or any specified quantity at the lowest price. Adopted.

By Ald. Howard—That the chairman of this Council appoint a committee of three to report to this body the propriety of dividing or sub-dividing the various Wards into Election Districts, pursuant to the Statute. Adopted.

The Chair appointed Ald. Howard, Beckwith and Adams as such committee.

The resolutions remaining on the desk of the Clerk at the adjournment of the Council were, in accordance with the rules of the Council, by him referred to the appropriate Committees as follows:

That the resolution, passed June 10th, ordering an assessment of $300 on school district No. 18, be rescinded, and that an assessment of $150 be ordered on said district; also, that resolutions passed same date, ordering an assessment of $500 upon school districts Nos. 16 and 20 each respectively be rescinded, and that an assessment for $250 be ordered on each of said districts. Referred to the Committee on Schools.

That the wood culvert across Palmer street, on northerly side of Virginia street be repaired.

That Caroll street, between Louisiana and Alabama streets, be repaired.

That Alabama street, between Seneca and Exchange streets be repaired. Referred to Committee on Streets.

That the sidewalk on the north side of Swan street, between the New York Central Railroad and Swan street, be repaired.

That the sidewalk on the westerly side of Elm street, between the northerly line of Batavia street and 115 feet northerly therefrom, be repaired.

That a plank crosswalk be constructed across South Division street on the westerly side of Jefferson street. Referred to the Committee on Side and Crosswalks.

That the Fire Marshal exchange one of the horses belonging to the Fire Department for another one. Referred to the Committee on Fire.

That the well, &c., on the north side of South Division street, between Spring and Jefferson streets be repaired.

That the well on the east side of Ketchum street be recorded. Referred to the Committee on Water.

That the resolution adopted May 20th, authorizing the City Clerk to procure desk, &c., for his office, be amended. Referred to the Committee on Public Grounds.

That the culvert across Mason street, between Auburn avenue and Breckenridge street, be repaired. Referred to the Committee on New Territory.

That the City Clerk revise the index to the Charter and ordinances, &c. Referred to Special Committee on subject of revising City Ordinances.

The Common Council adjourned to meet next Monday afternoon, July 29th, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 28.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, July 29, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council, and Ald. Adams, Allen, Beckwith, Brush, Crowder, Dayton, Felton, Goembel, Grass, Hanovan, Howard, Jones, Mills, Palmer, Russell, Rutter, Savage, Scheu, Schwartz, Storck, Wheeler and Yaw.

Absent—Ald. Dorr, Pratt and Walsh.

The minutes of the meetings held Monday, July 22d, at 2 o'clock, and one minute past 7 o'clock, P. M., were approved.

OFFICERS OF THE CORPORATION.

The Comptroller reported the amounts due the employees in his office, for services in the month of July; also amount due to M. Danner, Jr., for services in his office from January 1st to 11th, and recommended that orders be drawn for same. Filed and orders directed to be drawn.

FROM THE CITY ATTORNEY.

I hereby report that I have examined the records in regard to Peach street, and find that such a street was designated and named, but I do not find that the land was ever legally taken for a public highway; so far as the same has been opened and conveyed upon, I think it has been dedicated to the public use, but as to that portion which has never been opened or used, I am of opinion that your honorable body must take the regular proceedings under the Charter to make it a street.

I also report that I have caused a notice to be served upon Capt C. L. Gager, in accordance with the directions given to me at your last meeting.

GEORGE WADSWORTH, City Attorney.

Referred to Committee on Streets.

FURTHER FROM THE CITY ATTORNEY.

I hereby report that Joseph Churchyard and Jacob Benzinger have commenced a suit against the City, to recover for work done in digging test pits, where the Batavia street sewer is located, to ascertain the amount of rock excavation.

On the 24th of September, 1860, your Hon. Body directed this work to be done, under the direction of the City Surveyor, and the bill is certified to by him. The amount claimed is $26 85. The costs now amount to $2 12.

I recommend that an order be drawn on the fund for constructing the sewer, for $26 85, and an order on the General Fund, City Attorney and Legal Expense department, for $2 12, with which to pay and satisfy this claim, and save further costs.

GEORGE WADSWORTH,
City Attorney.

Referred to the Committee on Sewers.

FROM THE STREET COMMISSIONER.

On the 22d day of last April, you passed a resolution directing the owner or owners of any building standing in Vermont (as a six rod street,) between Fourth and Rogers streets, to cause such buildings to be removed from said street, within 60 days after notice of the passage of the resolution, and if not done in that time the Street Commissioner was directed to cause the same to be removed, and report the expense, and directing the Street Commissioner to notify the owners of the passage of the resolution. The undersigned begs leave to report that he caused the owners to be notified, in accordance with directions, and the 60 days have expired, and the obstructions are not removed; and that he has taken legal advice in the matter of taking down or removing the building from Vermont street, and believes he will be made personally liable, and subject to damage, should he execute the order in full, therefore asks that you take such action as will protect him from loss or damage, by reason of executing the order, making the city responsible for the defence in action, and liable for any damage that may be caused thereby.

L. J. WATERS, Street Commissioner.

Laid on the table, to be taken up under order of Reports from the Committee on New Territory.

The Street Commissioner also reported the amounts due the employees in his office for services in month of July, and recommended that orders be drawn for same.

Filed and orders directed to be drawn, to be delivered on or after August 1st.

FROM THE CITY SURVEYOR.

In compliance with your order of July 22d, I submit the following grade and profile, for a sewer in Hickory street between Clinton and William streets, commencing at the intersection of the centre line of Clinton street with the centre line of Hickory street, at an elevation of 14.00 feet above the base line of levels, thence northerly along said centre line of Hickory street, rising 0.30 ft. per 100 feet for a distance of 744 feet to a point, 100 feet south of William street, at an elevation of 16 23 feet above the base line of levels.

The average depth of excavation is 8.50 feet; total length of sewer is 744 feet.

PETER EMSLIE, City Surveyor.

Referred to Committee on Sewers.

The City Surveyor also reported the amount due to the employees in his office for services for the month of July, and recommended that orders be drawn for same.

Filed and orders directed to be drawn.

FROM THE RECEIVER OF TAXES.

Gentlemen—Under section 9 of title 5, I am required among other things to post in at least six public places in each ward a notice that the General Tax Rolls have been deposited with me; and as the service will necessarily require the use of livery, I respectfully ask permission of your honorable body to procure such necessary livery for such service.

Respectfully,

M. WIEDRICH, Receiver of Taxes.

Referred to Committee on Finance.

The Receiver of Taxes also reported the amounts due to the employees in his office for services in month of July, and recommended that orders be drawn for same.

Filed and orders directed to be drawn.

The City Assessors reported the amounts due the Clerk employed in their office, for services in the month of July, and recommended that an order be drawn for same.

Filed and order directed to be drawn.

The City Assessors also presented a communication asking that an order for $175 be drawn in favor of A. P. Dunlap, for salary as Clerk in the Assessors office for quarter ending July 1st.

Filed and order directed to be drawn.

The City Treasurer reported the amounts due the employees in his office for services in month of July, and recommended that orders be drawn for same.

Filed and orders directed to be drawn.

The Fire Marshal reported the amounts due to the several employees of the Fire Department for services for month of July, and recommended that orders be drawn for same. Also recommended that an order for $250 be drawn in favor of Sidney Shepard for four months rent of steam fire engine Niagara.

Filed and orders directed to be drawn.

The City Clerk reported the amounts due to the employees in his office, to the Harbor Masters, and to the City Scavenger, for services in the month of July, and recommended that orders be drawn for same.

Filed and orders directed to be drawn.

The City Clerk also reported the following nuisances as having been reported to the Board of Health at a meeting held July 27th, 1861, and by them referred to the Council:

Lot on corner of North and Pearl streets, assessed to John H. Bliss, being 100 feet front on North street by 147 feet on Pearl street, being 144 feet on its southerly line, and 97½ feet on the westerly line. Nuisance consists of standing water. Recommend that it be abated by filling.

Also, lot on corner of Clinton and Main street, being 101 feet front on Main street by 198 feet in depth on Clinton street, running through to Washington street, assessed to George Brisbane. Nuisance consists in using the cellar for a privy. Board recommend it to be abated forthwith. Referred to the Committee on Sanitary Measures

The Overseer of the Poor reported the amounts due to the employees in his office for services in month of July, and recommended that orders be drawn for same.

Filed and orderes directed to be drawn.

Assessment Roll, No. 2397—For repairing and maintaining the public well and pump at the corner of Sycamore and Pratt streets, amount $262—the time for the further consideration of which had been postponed until to-day, was taken up.

Ald. Jones moved that the further consideration of the said roll be postponed for one week. Carried.

PETITIONS.

Of John T. Tilley, for a declaration of sale on lot on north side of South Division street, lying 143.64 feet west of Emslie street, being 75 feet front by 105 feet deep.

Of same, for same, on lot on south side Fulton street, part of outer lot No. 67, lying 194 feet west of Alabama street, being 25 feet front by 140 feet deep.

Of same, for same, on lot on northeast side of Niagara street, part of block No. 78, lying 141½ feet southeast of Pennsylvania street, being 50 feet front by 125 feet deep.

Of same, for same, on lot on the northwest side of Carolina street, lying 25 feet northeast of Fourth street, being 61 feet front by 84 feet deep.

Emily White, for same, on lot on east side of Michigan street, lying 279 feet north of Sycamore street, being 28 feet front by 186 feet deep.

Of same, for same, on lot on east side of Potter street, 142 feet north of William street, being 25 feet front by 137 feet deep.

Of Wm. Wells and E. B. Seymour, to be released from obligations as sureties for Warren Lampman, Watch House Justice.

Of John Bitz, to have tax sale cancelled. Referred to Committee on Finance.

Of Henry Purcell, for permission to build a wooden fence around lot on the corner of Michigan and Carroll streets. Referred to Committee on Fire.

Of Valentine Specht, for a license to sell fresh meat at corner of Genesee and Mortimer streets.

Of Frank Huenfeld, for same, at corner of Fifth and Carolina streets.

To Joseph Herman, for same, on Vermont street, near Thirteenth street. Referred to Committee on License.

Petition of H. C. Persch and others, for the release of Barney McManus from confinement in the Erie County Penitentiary.

Ald. Fel on moved that the prayer of the petition be granted. Carried—ayes 21, noes 0.

Petition of the St Joachim Benevolent Society for permission to parade with music on Sunday, Aug. 18.

Ald. Beckwith offered the following:

Resolved, That the prayer of the above petition be and is hereby granted. Adopted.

Petition of Edward Weigand to have a fine refunded.

Ald. Grass moved that the prayer of the petitioner be granted, and that said fine be remitted.

Ald. Swartz moved to refer the same to the Committee on Police. Lost.

Ald. Yaw moved to refer the same to the Committee on Finance. Carried.

Petition of sundry butchers in Washington Market to have rent of stalls lowered.

Ald. Storck moved that the prayer of such petition be denied, and that the petitioners have leave to withdraw the same.

Ald. Goembel moved, as an amendment, that the Committee on Markets and the Clerk of the Markets be authorized and directed to reduce the rent so that the rent of each stall in said Market should be one-third less than the amount charged for same during the year 1860.

Ald Howard moved to amend the motion of Ald. Goembel, by reducing the rates charged for stalls from 25 to 33⅓ per cent., at the discretion of the Committee on Markets.

Ald. Hannovan moved, as a further amendment to the motion of Ald. Goembel, to include the stalls of the Elk Street Market in such reduction. Lost—ayes 10, noes 12.

Ald. Felton moved to amend the amendment offered by Ald. Howard, by adding thereto the following:

And that the Clerk of the Markets and the Committee on Markets be directed to lease to responsible persons the stalls inside of the Niagara and Clinton Street Markets at prices not over $10 each stall, and at so much lower rate as shall be deemed expedient by the Committee on Markets. Carried—ayes 21, noes 2.

Ald. Howard moved that the vote taken on the motion of Ald Hannovan, to include the stall of the Elk Street Market in the proposed reduction, be reconsidered. Carried.—Ayes 14, Noes 9.

Ald. Beckwith then moved to amend the motion of Ald. Goembel by including in such reduction the stalls in the Elk street Market, Carried. Ayes, 19; noes, 3.

The question being on the amendment moved by Ald. Howard, as the same was amended by the amendment offered by Ald. Felton.

Ald. Storck moved to further amend the said amendment of Ald. Howard, by striking out so much thereof as leaves the reduction at the discretion of the Committee on Markets.

Ald. Beckwith offered the following as a substitute for the whole subject:

That the Clerk of the Markets and the Committee on Markets are authorized to let the stalls in the Elk street and Washington street Markets for the year ending April 1, 1862, at two-thirds the rate of the last year; and that they rent the stalls in the Niagara and Clinton street Markets for the same term at prices not exceeding $10.

Ald. Howard called for a division of the question.

The question being on the first proposition in said substitute, to wit: so much as relates to Elk street and the Washington Markets.

Ald. Howard moved to amend the said first proposition by making the reduction of rent in the Elk street Market 20 per cent.

Ald. Hanovan moved to amend the motion of Ald. Howard, by including the Washington Market at the same rate. Carried.

The question was then taken on the motion of Ald. Howard, as amended by the motion of Ald. Hanovan, and the same was lost. Ayes, 11; nays, 12.

Ald. Goembel moved the previous question, which was not ordered.

Ald. Adams offered the following as a substitute for the substitute offered by Ald. Beckwith, and the whole subject under consideration:

That the Committee on Markets together with the Clerk of the Markets be, and are hereby directed to rent the stalls and stands in the Elk street and Washington street Markets at a rate 10 per cent. less than the same stalls rented for during the year 1860; and stalls in the Court street and Clinton street Markets at not exceeding $10.

Ald. Beckwith moved to amend the substitute offered by Ald. Adams, by striking out the words "ten per cent." and inserting "thirty per cent." in place thereof.

Ald. Allen moved the previous question, which was ordered.

The motion of Ald. Beckwith was then lost. Ayes 10; noes 13.

The substitute offered by Ald. Adams was then Adopted. Ayes 14; noes 9.

REMONSTRANCES.

Of E. Read, against the construction of a sidewalk on the west side of Herman street, between Genesee and North streets. Referred to Committee on Side and Crosswalks.

ACCOUNTS REFERRED.

J. W. Barker, for labor and materials for public school No. 32.

Same for bell for public school No. 32.

William Coleman, for shrubbery for Central school.

John Gisel, for repairing pump at Central school.

P. E. Brown, for cleaning school house No. 31.

P. A. Balcom, for rent of school house No. 15. Referred to Committee on Schools.

W. I. Williams, for repairing wood culvert across Allen street, on the easterly side of Delaware.

Henry Harter, Jr., for repairing Hudson street, between Fifth and Sixth streets.

O. Butler, Jr., for repairing alley between Eagle and Niagara, rear Kremlin block. Referred to Committee on Streets.

John Wannop, for reconstructing receiving sewer northeast corner Perry and Hayward streets.

Same for reconstructing receiving sewer northwest corner Perry and Hayward streets.

Same for reconstructing sewer and receiver westerly side Maiden Lane, about 25 feet northerly from Fly street.

Same for cleaning and repairing sewer northeast corner Seneca and Michigan streets.

Henry Harter, Jr., for repairing sewer in Hudson street, between Erie Canal and Fifth street. Referred to Committee on Sewers.

W. I. Williams, for repairing sidewalk southwesterly side of Palmer street, between Virginia street and a point 150 feet southeasterly therefrom.

Same for same easterly side of Ninth between York and Jersey streets.

Same for same southerly side of Edward between Delaware and Virginia streets.

Same for same easterly side of Norton between Water and Peacock streets.

Same for constructing sidewalk northeasterly side of Ninth, between Hudson and Pennsylvania streets.

John Tyrell, for repairing sidewalk northerly side of Carroll, between Michigan and Chicago streets.

Same for repairing sidewalk southerly side of Carroll, between Michigan and Chicago streets.

David Walker, Jr., for repairing crosswalk across Fourteenth street, northwest side of York street.

Frederick Scheiffer, for constructing sidewalk southerly side Burton alley between Washington and Oak streets.—Referred to Committee on Side and Crosswalks.

Kolb & Co., for Harness for Fire Department.

E. Hammer Smith, for Wood for Fire Department.

Hersee & Timmerman, for furniture for house occupied by steamer Seneca.

H. S. Chamberlain, for repairs for Steam Fire Engine, &c.

R. Exelby, for repairs, &c., to fire apparatus. Referred to Committee on Fire.

John Wannop, for repairing well and sewer northwest corner of Jefferson and Swan streets.

Same, for repairing receiver to well south side Perry streets, 294 feet east of Chicago street.

John Gisel, for repairing pump on corner of Mortimer and Genesee streets.

Same, for repairing pump to well corner of Sycamore and Genesee streets. Referred to Committee on Water.

L. Flersheim, for flags for Council Chamber.

Elijah Wells, for amount paid for cleaning city offices.

Samuel Beals, for balance due for services in Assessors' office.

A. M. Clapp & Co., (9) or printing for various city offices. Referred to Committee on Claims.

Charles H. Coleman, for sundries for Police Department. Referred to Committee on Police.

F. C. Hill, for sundries for Court Street Market. Referred to Committee on Markets.

J. G. Fenner, for lighting, &c., public lamps. Referred to Committee on Public Lamps.

J. Whittaker, for sheets for Pest House. Referred to Committee on Sanitary Measures.

W. I. Williams, for repairing wood culvert across Fourteenth street, on the southeasterly side of Connecticut street.

Same, for repairing sidewalk on the southerly side of Massachusetts street, between Tenth and Eleventh streets. Referred to Committee on New Territory.

REPORTS OF COMMITTEES.

Ald. Howard from the Committee on Finance, reported in favor of the adoption of the following resolutions:

That the prayer of the petition of John H. Montgomery asking that a portion of the personal tax assessed to him on the assessment rolls for the year 1861, be cancelled, be and the same is hereby denied, for the reason that the Common Council have now no power over the matter. Adopted.

That upon the payment to the Comptroller of the sum of $1000 in money or in the orders upon the fund for damages for land taken for the Erie Basin, on which the action of John F. Stafford against the city of Buffalo is now pending, the City Comptroller be and he is hereby authorized and directed to cancel all the unpaid taxes against George Colt and the heirs of Charles Townsend, or either of them, upon the assessment made to pay the damages for land taken for the Erie Basin and confirmed, by the Common Council of the city of Buffalo, July 10th, 1849.

That an order be drawn upon the General Fund balance of 1853, for $1000 in favor of the City Comptroller, wit which to settle the suit of John F. Stafford against the city of Buffalo, and that the city Comptroller be authorized to pay the same together with the sum received under the first resolution, herewith submitted in full settlement and payment of the orders on which said suit is brought.

That an order be drawn in favor of the City Attorney for the sum of $11 on the General Fund of 1861, City Attorney and Legal Expense department, with which to pay the costs of the above mentioned suit of John F. Stafford against the city of Buffalo. Adopted.

That Emily White have leave to withdraw her petition in which she asks for a declaration of sale on certificate of tax sale No. 965, of the sale of June 23d, 1858. Adopted.

That on filing with the Comptroller the petition of Samuel B. Hard, with the proof accompanying the same, the Comptroller be, and he hereby is authorized, to discharge or cancel of record, the whole or any portion of the following certificates of sale:

Certificate of sale of March 10, 1849, for $41 44, for non-payment of general city tax of 1847, of Outer Lot 43, in the City of Buffalo.

Certificate of Sale of January 26, 1850, for $57 67, for non-payment of general city tax of 1848, of Outer Lot 43, in the City of Buffalo.

Certificate of sale of January 26, 1850, for $52 47, for non-payment of tax for widening Buffalo Creek, of Lot situate in the City of Buffalo, part of Outer Lots 43 and 44, on the west side of Buffalo Creek, being 431⅔ feet front, by 150 feet deep, commencing on the north line of Outer Lot No. 43.

Certificate of sale of September 21st, 1850, for $59 78, for non-payment of general city tax of 1849, of Outer Lot 43, in the City of Buffalo.

Upon the execution and delivery to the city, by said Hard or other parties, of a bond with sureties satisfactory to said Comptroller, conditioned to indemnify the city for all loss, damage, costs, or claim therefor, by reason of discharging the whole or any proportionate part of such certificates as shall be discharged. Adopted.

That upon filing with the Comptroller the petition of Gideon Hard, on the return of certificate, No. 78, of the sale of June 1, 1859, the Comptroller be, and he hereby is authorised, to discharge the said certificate, No. 78, of the sale of June 1, 1859, and to cancel the same of record, and that an order be drawn in favor of the said Gideon Hard, upon the Tax Loan Fund, for the sum of ninety-nine dollars and thirty cents, and interest on that sum from the 22d day of June, 1861, to refund to him the amount paid by him for such erroneous certificate of tax sale. Adopted.

Ald. Beckwith was called to the Chair.

Ald. Wheeler, from the Committee on Schools, reported in favor of allowing the following accounts, and of drawing orders for the same:

Lewis R. Keyes, for clock and repairing clocks for schools, $9.

John Regar, for sawing wood, &c., for school house No. 15, $4 50.

Mrs. O. Sturman, for cleaning school house No. 26, $1 50.

N. B. Barker, for amount paid sawing wood, &c., for school house No. 7, $0 63.

Edwin Hurlbert, for wood for Central School, $9. Adopted.

Also, in favor of the adoption of the following resolution:

That the account of Clapp, Matthews & Waite for printing 2,000 copies of the Annual Report of the Superintendent of Schools for 1860, charged at $205, be and the same is hereby allowed at the sum of $143 50, and that an order for the said sum of $143 50 be drawn on the School Fund of 1861 in favor of Clapp, Matthews & Waite in full for their said account. Adopted.

Ald. Palmer, from the Committee on Streets, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause Hamburgh street to be repaired from the southerly line of Perry street to the ditch at the easterly termination of the Main and Hamburgh street Canal, by filling holes with brick-bats or cinders, and opening gutters where necessary, at an expence not exceeding $30, and report. Adopted,

That orders be drawn in favor of the different persons or corporations to whom, by the report of the Commissioners appointed to ascertain the just compensation to be paid to the person or persons owning, or having an interest in the land and property taken to lay out and extend Katharine street, fifty feet wide from the southerly termination of said Katharine street, as now laid out, to a point 551 feet southeasterly from the northerly line of lot No. 192, for the several amounts named in said report, payable out of the fund to be raised for that purpose, and that such orders be delivered to the several persons upon their furnishing to the City Comptroller a certificate of the City Attorney that the title is perfect in the parties to whom the amount was awarded, said orders to bear interest after one year from the date of the confirmation of said report. Adopted.

The President resumed the Chair.

Ald. Brush, from the Committee on Sewers, reported in favor of allowing the following accounts, and of drawing orders for the same:

John Swartz, for repairing the Sewer and Receiver on the southeast corner of Ash and Sycamore streets—$14 20.

George Miller, for repairing the sewer and receiver at the northwest corner of Batavia and Spring streets—$12 94.

Same, for reconstructing a sewer and receiver at the northeast corner of Batavia and Spring streets—$16 32.

John Wannop, for repairing the sewer on the west side of Elm street at the crossing of North Division street—$11 47.

Same, for reconstructing a sewer and receiver at the northeast corner of Chippewa and Pearl streets—$31 87.

Same, for sepairing the sewer and receiver at the northeast corner of Mohawk and Morgan streets—$14 73. Adopted.

Also, reported in favor of the adoption of the following resolution:

Resolved, That the Common Council of the City of Buffalo intend to order a brick sewer constructed, 18 inches diameter in the clear, with walls 8 inches thick, in the centre of Hickory street, from the sewer in the centre of Clinton st., northerly to a point 100 feet southerly from William st., and that the City Clerk cause the necessary notice of such intention to be duly published, and that the Street Commissioner advertise 6 days in the city paper for proposals to construct said sewer, and report such proposals to this Council. Adopted.

Ald. Swartz, from the Committee on Side and Crosswalks, reported in favor of the adoption of the following resolutions:

That the owners of lands on the north side of Swan street, between the N. Y. Central Railroad and Seneca street, cause a sidewalk to be repaired in front of their respective lots 4 feet wide, by substituting good new hemlock plank, 3 inches thick, where necessary, within 10 days, and if not done in that time, that the Street Commissioner cause the same to be done at an expense not exceeding $30, and report. Adopted.

That the owners of land on the westerly side of Elm street, between the northerly line of Batavia street and a point 115 feet northerly therefrom, cause a sidewalk to be repaired in front of their respective lots 4 feet wide, by substituting good new hemlock plank, 3 inches thick, where necessary, within 10 days, and if not done in that time, that the Street Commissioner cause the same to be done, at an expense not exceeding $3, and report. Adopted.

That the Street Commissioner cause a plank crosswalk to be constructed across South Division street, on the westerly side of Jefferson street, at an expense not to exceed $8, and report. Adopted.

Also, reported in favor of directing the City Assessors to make assessments as follows:

Assess $69 04, for repairing the sidewalk on the easterly side of Gray street, between Genesee and Batavia streets. Adopted.

Assess $6 08, for constructing a plank crosswalk across Monroe street, on the northerly side of Sycamore street. Adopted.

Also, in favor of allowing the following accounts and of drawing orders for the same:

W. I. Williams, for repairing sidewalk on the southwest side of Seventh street, from a point 150 feet southerly from Maryland street to a point 50 feet southerly from the first named point, $3 12.

Same, for repairing the sidewalk on the westerly side of Main street, between Allen and North streets, $24 44.

Same, for repairing the sidewalk on the westerly side of Hudson street, between Ninth and Eleventh streets, $7 96.

Lawren Williams, for constructing a plank crosswalk across Fulton street, on the west side of Alabama street, $8 16.

Same, for constructing a plank crosswalk across Allen street, on the westerly side of Delaware street, $7 68.

Same, for repairing the sidewalk on the westerly side of Walnut street, between Eagle and Clinton streets, $15.

Same, for repairing the sidewalk on the southerly side of Batavia street, between Washington and Ellicott streets, $38 24. Adopted.

Also, in favor of the adoption of the following resolution:

That the owners of the land on the southerly side of Tracey streetf between Delaware and Carolina streets, cause a sidewalk to be constructed in front of their respective lots, four feet wide, of good flagging-stone, within twenty days; and if not done within that time, that the Street Commissioner cause the same to be done, at an expense not exceeding $200, and report. Adopted.

Ald. Yaw, from the Committee on Fire, reported in favor of allowing the following accounts, and of drawing orders for the same:

Wardwell, Webster & Co., for oil for Fire Department, $15 75.

Donald Thane, for washing for same, $3 65.

Geo. Peugeot, for lanterns for same, $10 88.

J. G. & W. I. Mills, for hay for same, $53 31.

L. Fiersheim, for clock for same, $4.

Hewson & Co., for repairs for same, $10 25. Adopted.

Also, in favor of the adoption of the following resolution:

That the Fire Marshal, with the approval of the Fire Committee, be and he is hereby authorized to exchange one of the horses belonging to the Fire Department for another horse; at an expense not to exceed 65 dollars. Adopted.

Ald. Jones, from the Committee on Water, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause the well and receiving sewer on the north side of South Division st., between Spring and Jefferson streets, to be repaired at an expense not to exceed $17 and report. Adopted.

That the City Assessors cause the well on the east side of Ketchum Alley, between Colton and High streets, to be recorded. Adopted.

Also, in favor of allowing the following accounts, and drawing orders for the same:

John Wannop, for repairing the public well in front of the Unitarian Church, corner of Niagara and Franklin streets—$1 25.

Geo. Miller, for repairing the public well at the corner of Carolina and Sixth streets—$28 75. Adopted.

Also in favor of directing the City Assessors to make an assessment as follows:

Assess $14 for repairing and maintaining the public well and pump No. 3, at the corner of Elm and Tupper streets. Adopted.

Ald. Dayton, from the Committee on Claims, reported in favor of allowing the following accounts, and of drawing orders for the same:

Hardiker & Toy, for plumbing for various city officers $7 26.

Andrews & Son, for tape line for Street Commissioner —$4 50.

Alonzo Tanner, for disbursements—$9 77.

Clapp, Matthews & Waite, for printing for sundry departments, allowed at $279 10.

M. Wendrich, for disbursements—$6.

W. Chase & Son, for desk, &c., for City Clerk's office—$19 50.

Samuel Ely, for services as Inspector of Election, 21 district, 12th Ward—$6.

Samuel Ely, Jr., for services as Poll Clerk, 2d district, 12th Ward—$3. Adopted.

Also, in favor of the adoption of the following resolutions:

That so much of the resolution passed July 8th, 1861, as directs orders to be drawn in favor of Thomas J. Smith, for $7 50, and Mrs. Friedman, for $15 00, be and the same is hereby rescinded. Adopted. Ayes 18; Noes 0.

That an order on the general fund, 1861, expense of Election Department, be drawn in favor of Thomas J. Smith, for $4 50, for services as Inspector of Election, at Special Election, 2d District, Twelfth Ward, and another in favor of Mary Friedman, for $12 00, for use of room, for election purposes at Special Election, 2d District, 12th Ward. Adopted.

Ald. Mills, from the Committee on Police, reported in favor of allowing the account of Jacob Bloom for commitments to the Penitentiary, amount $8 63, and of drawing an order for same. Adopted.

Also, reported in favor of the adoption of the following resolutions:

That the office of constable in the Ninth Ward be and the same is hereby declared vacant. Adopted.

That the Council do now proceed to ballot for constable of the Ninth Ward, in place of Chester Marvell, resigned. Adopted.

Ald. Storck moved that the vote adopting the foregoing resolution be reconsidered. Carried.

Ald. Howard then moved that said resolution be laid upon the table, to be taken up at the next meeting of the Council, under order of reports from the Committee on Police. Carried.

That the City Attorney be assigned as counsel for the defendants, in case of Bartholomew Logan vs. Jerome B. Shumway and Hugh Boyd, without expense to the city. Adopted.

Ald. Storck, from the Committee on Markets, reported in favor of allowing the account of Kellogg and Bownell, for shovel, &c., for Markets, amount $2, and of drawing an order for the same. Adopted.

Ald. Adams, by unanimous consent, offered the following:

Resolved, That the Fire Marshal, City Clerk, and Auditor be, and they are hereby directed to advertise for 14 days, in the city paper, for sealed proposals to furnish coal for the various city offices, public buildings, and fire department of the city, for one year from the first day of September, 1861, and that they be directed to contract with the party or parties who shall propose to furnish such coal or any specified quantity, of the kinds needed, at the lowest price, and that the resolution adopted at the last meeting of the Council, directing the said parties to advertise for proposals for furnishing coal for the year 1862 be, and the same is hereby rescinded. Adopted: Ayes, 20; Noes, 0.

Ald. Howard, by unanimous consent, offered the following:

Resolved, That the City Clerk cause 750 copies of the revised City Charter to be printed; also, 1000 copies of the ordinances as enacted by this Council; and that he cause 150 copies of the charter and ordinances to be bound in extra Morocco binding, 350 copies in half-sheep, 250 copies of the charter bound by itself in paper, also 500 copies of the ordinance in paper, and that the same be done under the contract for doing the binding for the city: and that the said Clerk cause the index to the said charter and ordinances to be properly revised. Adopted.

The City Clerk presented the following rules, and requested that he be authorized to cause the same to be printed with the city ordinances, viz:

Rules Prescribed by the City Government, in relation to the presentation to the Council, of Petitions, Remonstrances and Accounts:

1st. All petitions, before presentation to the Council, shall be properly filed on the back, setting forth the na-

ture of the petition. If it is asking for any local improvement, it must be accompanied by the certificate of the Assessors, that a majority of the taxpayers have signed said petition.

2d. To secure an early settlement of all claims against the city, it is necessary that all bills should specify the kind of material or service, when and where rendered, by whom ordered, and to what department chargeable; and no bill will be presented to the Council by the Clerk, unless it is certified as correct by the head of the department against which such charge shall be made.

3d. Every bill must be accompanied by an affidavit made by the claimant, "that the services, disbursements or property charged in the annexed account or claim, have been actually performed, made or delivered for the city of Buffalo; that the items and specifications therein are correct; that the sums charged therefor are reasonable and just; and that no set-off exists, nor payment has been made on account thereof, except such as are included or referred to in such account or claim.

4th. Every account must be presented for audit and settlement, prior to the expiration of the current fiscal year.

5th. No bill will be reported upon by any Committee, unless the same shall be certified by the Auditor, in pursuance of section 3, of chapter 24, of the City Ordinances, and shall comply in all respects with the provisions of the foregoing rules.

Ald. Adams moved that the City Clerk be authorized to cause the said Rules to be printed, as requested. Carried.

Ald. Wheeler, by unanimous consent, then offered the following:

Resolved, That a Special Committee of five be appointed by the President of this Council, for the purpose of considering the subject of salaries to be fixed for all officers of the city, to be elected by the people for the ensuing term, and that the President constitute a member of such Committee, and that they report their action at the next meeting of this Council. Adopted.

Alds. Wheeler, Adams, Beckwith, Scheu, and Palmer, were appointed as such Committee.

Ald. Wheeler, from the Committee on Public Grounds reported in favor of the adoption of the following resolution:

That the resolution adopted May 20th, authorizing the City Clerk to procure a desk and piegeon holes for use in his office, at an expense not exceeding $15, be so amended that the expense of the same shall not exceed $20. Adopted. Ayes, 22; noes, 0.

Ald. Savage, from the Committee on Sanitary Measures, reported in favor of allowing the account of William Miller for keeping pest house to June 29th, and sundries furnished patients, amount $33 44, and of drawing an order for the same. Adopted.

Also in favor of the adoption of the following resolutions:

That the ground on the northeast corner of Swan and Spring streets, being 44½ feet front and rear by 98 feet deep, is hereby declared to be unwholesome by reason of privy vault being full and running over thereon, and it is hereby ordered and determined that the owner or owners of said ground remove the contents of said vault so that the said lot shall not be unwholesome; and in case the same is not done within three days after notice published in the city paper to do the same, then the Street Commissioner is hereby directed immediately to cause the same to be done and report. Adopted. Ayes, 21; noes, 0.

That the ground fronting on the west side of Hickory street, being 50 feet front and rear, by 130 feet deep, and commencing 189 feet south from Sycamore street, is hereby declared to be unwholesome by reason of standing water in a filthy condition thereon, and it is hereby ordered and determined that the owners of said ground abate the same, by filling or draining, so that the said lot shall not be unwholesome; and in case the same is not done within 3 days after notice published in the city paper to do the same, then the Street Commissioner is hereby directed immediately to cause the same to be done, and report. Adopted: Ayes, 22: Noes, 0.

That the ground fronting on the east side of Walnut street, being 27 feet front and rear, by 106 feet deep, and commencing 155 feet south from Sycamore street, is hereby declared to be unwholesome, by reason of standing water in a filthy and stagnant condition thereon, and it is hereby ordered and determined that the owner or owners of said ground abate such nuisance, by draining or filling, so that the said lot shall not be unwholesome; and in case the same is not done within 3 days after notice published in the city paper to do the same, then the Street Commissioner is hereby directed immediately to cause the same to be done, and report. Adopted; Ayes, 22; Noes, 0.

That the ground fronting on the east side of Michigan street, being 25 feet front and rear, by 100 feet deep, and commencing 112 feet north from Carlton street, is hereby declared to be unwholesome by reason of filth from stables thereon, and it is hereby ordered and determined that the owner or owners of said ground abate such nuisance by sewering or filling so that the said lot shall not be unwholesome; and in case the same is not done within 3 days after notice published in the city paper to do the same, then the Street Commissioner is hereby directed immediately to cause the same to be done, and report. Adopted. Ayes, 22; noes, 0.

That the ground fronting on the east side of Michigan street, being 25 feet front and rear, by 100 feet deep, and commencing 125 feet north from Carlton street, is hereby declared to be unwholesome by reason of filth from stables thereon, and it is hereby ordered and determined that the owner or owners of said ground abate such nuisance by sewering or filling so that the said lot shall not be unwholesome; and in case the same is not done within 3 days after notice published in the city paper to do the same, then the Street Commissioner is hereby directed immediately to cause the same to be done, and report. Adopted. Ayes, 22; noes, 0.

That the ground fronting on the northeast side of Fulton street, being 28 feet front and rear, by 146 feet deep, and commencing 240 feet northeast from Chicago street, is hereby declared to be unwholesome by reason of hog pens in a filthy condition thereon, and it is hereby ordered and determined that the owner or owners of said ground remove such hog pens, and cleanse the lot so that the said lot shall not be unwholesome; and in case the same is not done within 3 days after notice published in the city paper to do the same, then the Street Commis-

sioner is hereby directed immediately to cause the same to be done, and report. Adopted. Ayes, 22; noes, 0.

Ald. Crowder, from the Committee on New Territory, reported in favor of the adoption of the following resolutions:

That it is hereby ordered that the easterly side of Niagara street be repaired, from the southerly end of the bridge across Scajaquada Creek, to a point 100 feet southerly therefrom. Adopted. Ayes, 22; Noes, 0.

That the Street Commissioner be and he is hereby directed to suspend any action under the resolution passed by the Common Council directing him to remove obstructions from Vermont street, until the further direction of this Council.

The communication from the Street Commissioner in relation to obstructions in said Vermont street, presented to the Council this day, and laid on the table, was taken up.

Said report was then adopted. Ayes, 22; Noes, 0.

And said communication from the Street Commissioner was then referred to the Committee on New Territory.

Also, reported in favor of directing the City Assessors to make assessments as follows:

Assess $15 for reconstructing a stone culvert across Steele street, on the easterly side of Main street, and that the resolutions passed June 12th, 1861, directing the City Assessors to assess the above named amount for constructing a stone culvert, also for reconstructing a stone culvert at the above named point, be and the same is hereby rescinded. Adopted. Ayes, 22; Noes, 0.

Assess $7 99 for reconstructing a wood culvert across Summer street, on the easterly side of Rogers street.—Adopted.

Assess $5 66 for constructing a wood culvert across Rogers street, 51 feet South of Butler Street. Adopted.

Assess $15 for opening the gutter on the north side of Ferry street, between Niagara street and a point 250 feet easterly from North Jefferson street. Adopted.

Assess $18 46 for repairing the wood culvert across Niagara street, between Austin and Farmer streets.—Adopted.

Also, in favor of allowing the following accounts, and of drawing orders for same:

Adam M. Diehl, for reconstructing a culvert across Ferry street, about 200 feet easterly from Jefferson street, $18 70.

Same, for reconstructing a culvert across Ferry street, between Walden street and the Williamsville Road.——$8 75. Adopted.

Also reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause a stone sidewalk to be constructed on the north side of Amherst street, between Niagara and Dearborn streets, in front of the market square, at an expense not exceeding $100, and report. Adopted.

That the Street Commissioner cause Amherst street to be repaired by filling holes between the Military road and Tonawanda street, at an expense not exceeding $50, and report. Adopted.

That the Street Commissioner cause Amherst street, between the State ditch and the Military road, to be repaired by filling holes, at an expense not exceeding $25, and report. Adopted.

That the Street Commissioner is hereby ordered to advertise six days in the city paper for proposals for making Downing street, by working the same from lots No. 264 and 265 to the Buffalo and White's Corners Plank Road, and report such proposals to this Council. And that the City Surveyor is hereby directed to measure the distance in said street between the above named points, and report the number of rods, also the numbr of culverts necessary to make a roadway in said Downing street. Adopted.

Ald. Howard, by unanimous consent, offered the following:

That upon filing with the Comptroller the petition of Amos Morgan, and the consent of the purchaser named in the following described tax sale, and upon the execution to the city, by Amos Morgan, of his bond, with surety satisfactory to the Comptroller, conditioned to indemnify the city against all damage, costs, and all claims for damage and costs, by reason of cancelling of record the following tax sales, the Comptroller be, and he is hereby directed to cancel of record, the tax sale of December 28, 1840, to Peter Curtiss, of lot on Seneca street, south side, commencing 176 feet east of Washington street, being 50 feet front, and 95 feet deep, for $23 17. Also, of same lot, of same date, to said Curtiss, for $9 94. Also, of same lot, of same date, to said Curtiss, for $4 60. Also, of same lot, to O. H. P. Champlin, dated September 5, 1842, for $14 09. Adopted.

The hour of 7 o'clock P. M. having arrived, the President declared the Common Council adjourned until Monday, August 5, 1861, at 2 o'clock P. M.

O. F. PRESBREY, City Clerk.

MINUTES No. 29.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Aug. 12, 1861,
at 2 o'clock, P. M.

Present—Asaph S. Bemis, Esq , President of the Council; and Ald. Allen, Beckwith, Brush, Crowder, Dayton, Dorr, Felton, Goembel, Grass, Hannovan, Howard, Jones, Russell, Rutter, Scheu, Storck, Schwartz, Wheeler and Yaw.

Absent—Ald. Adams, Mills, Palmer, Pratt, Savage and Walsh.

The minutes of the meeting held July 29th, 1861, were approved.

COMMUNICATIONS FROM THE MAYOR.

MAYOR'S OFFICE,
Buffalo, Aug. 6, 1861.

To the Hon. Common Council:

GENTLEMEN: I return without my approval a resolution adopted on the 29th inst., directing a stone sidewalk to be constructed on the southerly side of Tracy street, at an expense not to exceed $200.

I learn that the cost of the work will exceed one hundred dollars, and you are prohibited from doing work of that character, unless you advertise for proposals for the improvement. Such is the purport of an amendment made to the charter last winter.

I also return without approval a resolution directing a stone sidewalk to be constructed on Amherst street, in front of Market Square.

The objection above noted applies to this work, but there is a mode devised by which public grounds in the new territory can be improved, and which must in this instance be complied with, or the assessment made to pay the work would be worthless. The Charter provides that for the improvement of any public square or area in the new territory, "or otherwise improve the sidewalks about the same," by a vote of two-thirds of the members elected, and may cause one-fourth of the expense to be assessed upon the blocks adjoining such square or area," "the balance thereof to be assessed upon the lands within a district surrounding said grounds the boundaries of which shall be fixed and described by the Common Council and who shall direct the Assessors to assess the same upon the lands so bounded and described."

Respectfully,
F. A. ALBERGER, Mayor.

Filed, and subject matter of so much as relates to sidewalk on Tracy street referred to Committee on Side and Crosswalks, and subject matter of the balance of said communication laid on the table for the present.

FURTHER FROM THE MAYOR.

MAYOR'S OFFICE,
Buffalo, August 5th, 1861.

To the Hon. the Common Council:

GENTLEMEN.—I hereby nominate to your honorable body the persons below named to be policemen of this city:

William R. Dunning, in place of Lewis Freeman, resigned.

Philip Wursteisen—in place of Leonard Metsger, whose term of office has expired.

Philip Schneider, in place of John Hoernline, removed.

Mathew Scuh, in place of Peter Weigle, whose term of office has expired.

Augustus Duerr, in place of John Kick, resigned.

Respectfully,
F. A. ALBERGER, Mayor.

Filed and consent of the Common Council granted to the appointment by His Honor the Mayor, of the persons nominated as policemen.

FURTHER FROM THE MAYOR.

To the Hon. Common Council:

GENTLEMEN—I inclose to you herewith an invitation from the St. Alphonsus Society of the city, to attend their pic-Nic at Moffat's Grove on this day the 5th inst.

Respectfully,
F. A. ALBERGER, Mayor.

The following is said invitation:

BUFFALO, August 3, 1861.

To His Honor, F. A. Alberger, Mayor of the City of Buffalo:

The St. Alphonsus Society of St. Mary's Church have a pic-nic at Moffat's Grove on August 5th inst ,and by order of the society I am directed to extend an invitation to Your Honor, and through you to the Gentlemen of the Common Council, to give us the honor of your presence on that occasion. I have the honor, &c.

GEORGES BALDUS, Secretary.

Ald. Beckwith moved that same be filed, and that the thanks of the Council be returned for said invitation.—Carried.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

COMPTROLLER'S OFFICE,
Buffalo, Aug. 5, 1861.

To the Hon. the Common Council:

GENTLEMEN:—There is due C. B. Morse $100, balance of salary on the last quarter for 1860, and he desires an order for the amount. It will be recollected that the Poor Master's Department for last year run short and Mr.

Morse was paid only $1000 on account of the last quarter in said year, which deficiency has been provided for in the estimates for 1861. I recommend that an order be drawn for $100 in favor of C. B. Morse on the General Fund, 1861, Poor Master's Department, in full payment of his salary for 1860.

I also report that there is due D. Kissock, Fire Marshal, $60 being his salary for the month of July, and I recommend that an order for this amount be drawn in his favor on the General Fund, 1861, Fire Department, in full payment of such salary. Respectfully,

ALONZO TANNER, Comptroller.

Filed and orders directed to be drawn as recommended.

FROM THE CITY ATTORNEY.

CITY ATTORNEY'S OFFICE,
BUFFALO, Aug. 5, 1861.

To the Honorable the Common Council of the City of Buffalo:

I hereby report that on the 30th day of May, 1861, William H. Glenny recovered a judgement against the city, before H. B. Burt, Esq., for $39 42 damages and $2 23 costs, for various articles furnished to the different departments. The judgement with interest thereon to date amounts to $42 17, and I recommend that an order be drawn in my favor on the General Fund of 1861, City Attorney and Legal Expense Department, with which to pay said judgement.

Respectfully submitted,

GEORGE WADSWORTH, City Attorney.

Referred to the Committee on Finance.

FROM THE STREET COMMISSIONER.

BUFFALO, Aug. 5, 1861.

GENTLEMEN,—The undersigned reports the following named repairs made, and works completed, in accordance with orders of your Hon. body, at the expense severally as hereinafter specified.

ON STREETS.

Wood Culvert repaired across Allen street, on the easterly side of Delaware street—$6 92.

Alley repaired between Eagle and Niagara streets, in the rear of the Kremlin block—$4 75.

Referred to the Committee on Streets.

ON SEWERS AND RECEIVERS.

Receiving Sewer reconstructed at the north-east corner of Perry and Hayward streets.—$13 63.

Receiving Sewer reconstructed at the north-east corner of Perry and Hayward streets—$13 63.

Sewer and Receiver reconstructed on the westerly side of Maiden Lane, about 25 feet northerly from Fly street. —$11 85.

Receiver repaired at the well in Perry street, between Chicago street and Canal Slip—$2 70.

Sewer repaired at the north-east corner of Seneca and Michigan streets—$2 93.

Sewer and well repaired at the north-west corner of Jefferson and Swan streets—$9 94.

Sewer and Receiver repaired at the south-west corner of Clinton and Hickory streets—$6 08.

Receiver and well repaired on the north side of South Division street, between Spring and Jefferson streets—$16 30.

Referred to the Committee on Sewers.

ON SIDE AND CROSSWALKS.

Sidewalk repaired on the easterly side of Edward street, between Delaware and Virginia streets—$33 92.

Sidewalk constructed on the westerly side of Sixth street, between Fort street and a point 1,000 feet southerly therefrom—$53 84.

Sidewalk repaired on the easterly side of Norton street, between Water and Peacock streets—$27.

Sidewalk constructed on the northeasterly side of Ninth street, between Hudson and Pennsylvania streets—$9 76.

Sidewalk repaired on the southeasterly side of Massachusetts street, between Tenth and Eleventh streets—$14 92.

Sidewalk repaired on the easterly side of Ninth street, between York and Jersey streets—$8 50.

Crosswalk repaired across Fourteenth street, on the northwest side of York street—$1 88.

Referred to the Committee on Side and Crosswalks.

ON NEW TERRITORY.

Wood culvert repaired across Fourteenth street, on the easterly side of Connecticut street—$4 83.

Easterly side of Niagara street repaired at the southerly end of the bridge across Scajaquada Creek to a point 100 feet southerly—$196.

Fifth street made, from Connecticut street to Vermont street, by contract—$64 05.

Clinton street repaired between the New York Central Railroad and the Buffalo, New York and Erie Railroad—$47 37.

L. J. WATERS, Street Commissioner.

Referred to Committee on New Territory.

The Street Commissioner also reported the amount due the keeper of the Court House Park for services in July. Filed and order directed to be drawn.

FURTHER FROM THE STREET COMMISSIONER.

BUFFALO, Aug. 5th, 1861.

GENTLEMEN—Mr. Dean Candee asks for a payment to apply on contract for repairing the breakwater along the shore of Lake Erie, from outer lot No. 50 to the southerly bounds of the city.

The amount of said contract is $1,860; amount already paid on the same is $800; amount of work done and not paid for is $771 25; amount proposed to be paid at this date is $400.

The undersigned recommend that an order be drawn on the local fund for the above named improvement in favor of said Candee for the amount proposed.

L. J. WATERS, Street Commissioner.

Filed and order directed to be drawn.

FURTHER FROM THE STREET COMMISSIONER.

BUFFALO, Aug. 12th, 1861.

GENTLEMEN—James Duffy asks for a payment to apply on his contract for constructing a sewer in Breckenridge street, from the easterly line of North Washington street westerly to the Erie canal.

Amount of said contract is $2,453 33; amount paid on the same is nothing; amount of work done on the same is $600; amount asked for and proposed to be paid at this time is $500.

And I recommend that an order be drawn for that sum.

L. J. WATERS, Street Commissioner.

Filed and order for $450 directed to be drawn, and subject matter of the balance of said communication referred to Committee on New Territory.

FURTHER FROM THE STREET COMMISSIONER.

BUFFALO, August 12th, 1861.

GENTLEMEN:—In compliance with your direction, the undersigned advertised for proposals to grade and pave Huron street, from the curb-line on the westerly side of Morgan street to the New York State Reservation line and have received the following, to wit:

From Isaac Holloway—For excavations per cubic yard 9 cents; for paving per superficial foot, 7 cts; for curbing per lineal foot, 17 cts; for platform stone per superficial foot, 26 cts.

From James Howels—For excavations per cubic yard, 12 cents; for paving per superficial foot, 7¾ cts; for platform stone per superficial foot, 25 cts; for curbing per lineal foot, 16 cts;

From Whitmore, Rathbun & Co.—For excavation per cubic yard, 18 cts; for paving per superficial foot, 8 cts; for platform stone per snperficial foot, 28 cts; for curb stone per lineal foot, 16 cts.

L. J. WATERS, Street Commissioner.

Referred to the Committee on Streets.

FURTHER FROM THE STREET COMMISSIONER.

BUFFALO, August 12, 1861.

GENTLEMEN,—The undersigned reports the following improvements completed in accordance with your directions, at the expense severally as hereinafter stated, to wit:

Bridge, constructed by contract, across Scajaquada Creek, on Puffer street—$500 00.

Sewer, constructed by contract, in Emslie, Seneca and Van Rensselaer streets, from the water course between North Canal and Seneca streets, to the Main and Hamburgh Street Canal—$3,967 20.

Sidewalk constructed on the northeast side of Fourteenth street, between Vermont an Rhode Island streets —$25 92.

Sidewalk repaired on the northerly side of Ohio street, between Indiana and Illinois streets—$9 97.

L. J. WATERS, Street Commissioner.
By G. HYATT, Clerk.

Referred to the appropriate Committees.

FURTHER FROM THE STREET COMMISSIONER.

BUFFALO, August 12, 1861.

GENTLEMEN—On the first day of July last, you passed an order directing "the Street Commissioner to notify the President of the Buffalo and Hamburgh Turnpike Company to remove their bridge over Buffalo Creek, at Ohio street, within twenty days, and if said bridge shall not be so removed within the time specified as aforesaid, then the Street Commissioner was directed to remove said bridge and report."

The President of said Company was accordingly notified on the 13th ultimo, and the 20 days has expired and the bridge still remains as formerly. The right of the city to forcibly remove said bridge has long been considered a legal question, and before proceeding further in the execution of your order, the undersigned deemed it proper to take legal advice in the matter, and has good reason to believe that he may be made personally liable and subject to great damage should he remove the bridge, as it will in all probability be contested; therefore, he asks your honorable body to take such action as will protect him from loss or damage by reason of executing your order in the premises, and make the city responsible for the defence in an action.

L. J. WATERS, Street Commissioner.

Referred to Committee on Streets, together with the City Attorney.

FROM THE CITY SURVEYOR.

BUFFALO, August 5th, 1861.

In compliance with your order of July 29th, I have measured Downing street, and report as follows:

Total length of street, from the east line of the Whites Corners Plank Road to the west line of lots 264 and 265, is 139½ rods.

Culverts required to make roadway—2.

PETER EMSLIE, City Surveyor.

Referred to the Committee on Streets.

FURTHER FROM THE CITY SURVEYOR.

BUFFALO, August 5th, 1861.

In compliance with your order of July 22d I submit herewith a map showing the land necessary to be taken to open Perry street, from its present termination at the westerly boundary of the Buffalo and State Line Railroad Company's land, easterly to the old city line.

The shaded blue line shows the land necessary to be taken, the centre line of which is described as follows:

Commencing at the intersection of the centre line of Perry street with the westerly line of the Buffalo and State Line Railroad Company's land; thence easterly, continuing in the said centre line of Perry street produced, for a distance of 1576¼ feet to the old city line, being the northwesrerly line of the Buffalo Creek Indian Reservation.

PETER EMSLIE, City Surveyor.

Referred to the Committee on Streets.

FROM THE SUPERINTENDENT OF SCHOOLS

BUFFALO, August 5th, 1861.

The following balances remain on the Treasurer's books, to the credit of the School Library Fund of the years named:

1856	$73 49
1857	6 59
1858	55 12
Total	$135 20

The fund for 1859 is overdrawn to the amount of $82 49.

I suggest that the Comptroller be directed to transfer from the funds of 1856, 1857 and 1858, as much as may be necessary to balance the deficit in the funds of 1859, and that the remainder, with any balance that may remain from 1860, be placed to the credit of the School Library Fund for 1861. I am not aware that there are now any outstanding claims against the Library Fund of 1860, and believe that there are none.

SANFORD B. HUNT.
Superintendent of Schools.

Refereed to the Committee on Schools.

FURTHER FROM THE SUPERINTENDENT OF SCHOOLS.

BUFFALO, Aug. 5th, 1861.

I have to report that the wall of Public School No. 20, on the east side near the rear, has settled so much that the window frames are bent, and the windows and blinds will not open. I think it unsafe, and expect that it will fall during the winter, if not reconstructed.

The window sash of this building is nearly all of it dilapidated, the rabbits being broken away in many places,

and the putty good for nothing. These sashes are worthless, and new should be substituted.

The privies of No. 20 are also altogether insufficient for so large a school. They should be extended so as to afford room.

I suggest that your honorable body take the proper action on these wants.

SANFORD B. HUNT,
Superintendent of Schools.

Referred to the Committee on Schools.

FROM THE CITY ASSESSORS.

BUFFALO, August 5, 1861.

The undersigned, the Board of Assessors, respectfully represent that they will require about 1800 postage stamps for the notices to be posted for the Assessment Rolls for the month of August, and respectfully ask your honorable body to direct an order to be drawn for eighteen dollars for that purpose.

LORENZ GILLIG,
JOB GORTON,
FAYETTE RUMSEY, } Assessors.

Filed, and order directed to be drawn.

FROM THE RECEIVER OF TAXES.

Buffalo, Aug. 12, 1861.

The General City Tax Rolls of the City of Buffalo having been deposited in this office on the 1st instant, I found the number of employees previously engaged insufficient to meet the necessities and demands of the public in the payment of taxes, and I have therefore appointed Christian Bronner a clerk in this office from the 1st of August inst., at a salary not to exceed five hundred dollars per annum, and respectfully ask you to confirm same.

M. WIEDRICH, Receiver of Taxes.

Referred to the Committee on Finance.

FROM THE FIRE MARSHAL.

Buffalo, Aug. 12, 1861.

GENTLEMEN—By direction of your honorable body I contracted with E. G. Mathews for 800 feet of linen hose, which has been delivered according to contract.

Mr. Mathews asks for a payment of $200 on the contract, and I would respectfully recommend that an order for that amount be drawn in his favor.

Total amount of contract..... $225
Value of hose delivered—800 feet at 75c per foot..... 225
Amount paid is nothing
Amount asked for 200

I would also respectfully recommend that an order be drawn in favor of the Fire Marshal for $50, on account of cartage to July 1st, 1861.

D. KISSOCK.

Filed and orders directed to be drawn, and subject matter of the balance of said communication referred to the Committee on Fire.

FURTHER FROM THE FIRE MARSHAL.

BUFFALO, Aug. 5th, 1861.

GENTLEMEN—In reply to an advertisement for proposals to build three hose carts, I received bids from the following named persons, which with the plans, &c., are herewith submitted:—Richard Exelby, William Barker, Thomas B. French.

I would also respectfully report, that after the expiration of the time mentioned in the advertisement for receiving proposals, I received two from H. S. Chamberlain and one from Joseph Zahm, which are also herewith submitted.

D. KISSOCK, Fire Marshal.

Filed and subject matter referred to the Committe on Fire with power.

The City Clerk reported the amount due to the porters of the city buildings for services in July.

Filed and orders directed to be drawn.

The City Clerk also reported the following accounts as having been audited by the Board of Health at its last meeting, and by them referred to the Council with a request that orders be drawn for the payment of the same:

John Elliott, for services as Health Inspector for July —$46 50.

George J. Rhemhardt, for services as Health Inspector for July—$46 50. Filed and orders directed to be drawn.

Also, that the following account was presented and audited by the Board:

Wm. H. Peobody, for stimulants and medicines for patients in Pest House—$34 12.

Also, that the following nuisance was reported to the Board and by them referred to the Council:

Lot on east side of Ohio street 18x75 feet front by 75 feet deep, 117½ feet southeasterly from Mackanaw street, assessed to Hannah Casey. Nuisance consists of hog pens in a filthy condition. Board recommend the same to be abated forthwith. Referred to Committee on Sanitary Measures.

The City Clerk also reported that at a meeting of the Board of Health, held August 10th, 1861, the following accounts were presented and by them audited and referred to the Council, that provisions be made for their payment:

William Miller, for board, medicines, &c, for patients in Pest House—$76 04.

Same, for services as keeper of Pest House, for the month of July, 1861—$18 29. Referred to the Committee on Sanitary Measures.

The City Clerk also reported that at the same meeting of the Board of Health, the following nuisance was referred to the Common Council with a recommendation that the same be abated as hereinafter mentioned, viz:

Lot on the corner of Clinton and Raze streets, 40 94-100 feet front on Clinton street southerly side, corner of Raze street, and 18 87-100 feet rear by 90 61 100 feet in depth on Raze street, said lot supposed to belong to Mann & Lord. Nuisance consists of standing water. Recommend to abate by filling forthwith. Referred to Committee on Sanitary Measures.

FURTHER FROM THE CITY CLERK.

GENTLEMEN:—At the last meeting of your honorable body, you passed the following resolution:

Resolved, That the City Clerk cause 750 copies of the revised City Charter to be printed; also, 1000 copies of the ordinances as enacted by this Council; and that he cause 150 copies of the charter and ordinances to be bound in extra Morocco binding, 350 copies in half sheep, 250 copies of the charter bound by itself in paper, also 500 copies of the ordinance in paper, and that the same be done under the contract for doing the binding for the city; and that the said Clerk cause the index to the said charter and ordinaces to be properly revised.

On examination of the Comptroller's estimates, I find no provision was made for binding the city charter.

The estimate for reprinting the city charter and ordinances is only $360, which is scarcely enough to print the charter alone. The bid for printing, which was accepted by the city, is at the rate of $1 50 per page. The printing of the charter alone will cost at least $400, and the ordinance will cost not far from $300. Several items of printing are overestimated, so that I have no doubt the Common Council Department Fund will be sufficient to pay the expense of printing both the charter and ordinances; but I have deemed it prudent to depart from the instructions of the resolution aforesaid, and print but 750 copies of the ordinances, and not have either the charter or the ordinances bound except in pamphlet form, leaving the next Council to provide the means and order the binding of the balance of the copies.

Respectfully yours,

O. F. PRESBREY, City Clerk.

Filed, and action of Clerk approved.

The City Clerk also reported that the time for the further consideration of, and the hearing of parties interested in the following described assessment rolls, viz:

No. 2376—For the purpose of paying the just compensation awarded to the person or persons owning or having an interest in the land and property taken to lay out Carlton street, from the easterly line of Main street to the northwesterly line of Genesee street, together with the costs and expenses of the ascertainment—amount, $3,573 67;

No. 2397—For repairing and maintaining the public well and pump at the corner of Sycamore and Pratt streets—amount, $262; had been postponed until Monday, August 5th, 1861, but in consequence of the failure of the Common Council to meet on that day, it would be necessary to take some further action in the matter.

Ald. Howard moved that the time for the consideration of, and hearing of parties interested in Roll No 2376 be fixed for the first Monday of September next. Carried.

Ald. Jones moved that the time for the consideration of, and hearing of parties interested in roll No. 2397, be fixed for the first Monday of September next. Carried.

Ald. Jones then offered the following:

Resolved, That the Street Commissioner is hereby authorized and directed to cause the water to be pumped from the public well at the corner of Sycamore and Pratt streets a sufficient length of time to thoroughly test the quality of the water, so that the Committee on Water can make an intelligent report thereon, at an expense not exceeding $7. Adopted.

The City Clerk also reported that the time for the consideration of assessment roll No. 2398, for widening, straighteninfi and enlarging Buffalo creek, at the toll bridge on Ohio street, by excavating a channel on the northerly side of said creek, amount $5,935 00—had been postponed until Monday August 5th, 1861, but in consequence of the failure of the Common Council to meet on that day, it would be necessary to fix some future day for the consideration of the said roll.

Ald. Howard moved that the time for the consideration of said roll No. 2398 be fixed for the second Monday of September next. Carried.

The Chief of Police reported the amounts due the Captains of Police, Clerk and Policemen for services during the month of July—amount—$2,217 91.

Also the amounts due the several persons employed to clean the Police Station for the same month; amount $30 00.

Filed and orders directed to be drawn.

The following was received:

To His Honor, Mayor Alberger, and the members of the Common Council of the city of Buffalo:

You are hereby respectfully invited to attend a festival of the Harugari at Moffat's Grove on Monday, August 19, 1861. By order,

LOUIS KNELL,

Chairman of the Committee of Arrangements.

Filed and invitation accepted.

PETITIONS.

O John T. Tilly, for a declaration of sale on lot on north side of Mohawk street, part of inner lot No. 159, lying 40 feet west of Morgan street, being 40½ feet front by 100 feet deep.

Of same, for same on lot on northeast side of Seventh street, part of block No. 85, lying 16½ feet northwest of Carolina street, being 49 feet front by 80 feet deep.

Of same, for same on lot on southwest side of Fourth street, part of block No. 100, lying on the southerly corner of Jersey street, being 63½ feet front by 69 feet deep.

Of A. J. Rich, to have tax sales cancelled.

Of H. C. Monning, for same.

Of Harmon Griffin, to have sundry local orders paid.

Of Absolem Townsend, to have tax sale cancelled.

Of Wm. W. Wright, to have sundry duplicate declarations of sale issued to him.

Of Pickering & Otto, to have local order paid. Referred to Committee on Finance.

Of Wm. Linder and another, to have names withdrawn from a remonstrance against the construction of a sewer in Maple street, between Burton alley and Virginia street. Referred to Committee on Sewers.

Of F. Fischer, for permission to remove frame building from the west side of Michigan street to the west side of Elm street, about 275 feet north of Tupper street.

Of A. P. Yaw, for permission to raise chimney of house on Carroll street, north side, and east of Chicago street.

Of Jas. Runcle, for permission to move frame building. Referred to Committee on Fire.

Of Breed, Butler & Co., and others, in relation to street peddling.

Of 56 policemen, to have the city make an appropriation towards paying for uniforms purchased by them. Referred to Committee on Police.

Sundry stand holders in Elk street market, to have more room set apart for stands. Referred to Committee on Markets.

Of George Vine, for a license to sell fresh meat.

Of Carard Garbrath, for same.

Of Louis Klein, for same.

Of Christian Miller, for same.

Of L. Roost, for same.

Of Chas. Burgard, for same.

Of Frank Tomor, for same.

Of John Hamper, for same. Referred to Committee on License.

Of Wm. F. Miller and others, to have nuisance abated in Efner block on Commercial street.

Of J. Allen and others, to have nuisance abated on lot on north side of North Division street, about 200 feet easterly of Pine street. Referred to Committee on Sanitary Measures.

Of Geo. Zimmer, for a Fireman's Certificate.

Of Philip Friess, for same.

Of Margaret Carrick, to have a duplicate Fireman's Certificate issued to Wm. Carrick. Referred to Fire Commissioners, with power.

Petition of C, B Morse and Warren Lampman, for the release of Ann Kneeland from the Erie Co. Penitentiary.

Ald. Jones moved that the prayer of such petition be granted. Carried—ayes 18, noes 0.

Petition of Warren Lampman and others for the release of Margaret Bray from confinement in the Erie Co. Penitentiary.

Ald. Brush moved that the prayer of such petition be granted. Carried—ayes 18, noes 0.

Petition of E. B. Lyman for permission to erect frame building at the corder of Morgan and Niagara streets.

Ald. Beckwith moved that the prayer of the said petition be granted, under the direction of the Committee on Fire and subject to the further order of this Council. Carried—ayes 18, noes 0.

Petition of Peter Bready for a license to sell fresh meat at northeast corner of Clinton and Hickory streets.

Ald. Goembel moved that the prayer of the petition be granted.

Ald. Howard moved to refer said petition to the Committee on License. Carried—ayes 15, noes 3.

REMONSTRANCES.

Of Andrew Clark and others, against the removal of the bridge across Buffalo Creek at Ohio street. Referred to Committee on Streets.

ACCOUNTS REFERRED.

Wm. H. Peabody, for Chemicals for Central School.

D. Taylor, for sundries for schools.

D. Clinton Hicks, for Diplomas for Central School

Wesley Emmons, for labor and material for schools. Referred to Committee on Schools.

George Miller, for repairing Clinton street, between the bridge west of the N. Y. C. R. R. and Bond street.

John Fisher, for cleaning paved streets in front of public grounds and cleaning receivers in July, 1861.

George Fisher, for same.

John Erb, for same.

Phillip Shaw, for same.

John Ellwood, for repairing Clinton street, between N. Y. C. R. R. and B. N. Y. and E. R. R. Referred to Committee on Streets.

F. Scheiffer, for new cover for the man-hole over the Michigan street sewer.

George Miller, for repairing sewer and receiver at southwest corner of Clinton and Hickory streets. Referred to Committee on Sewers.

Isaac Holloway, for stone crosswalk across Franklin street, on the southerly side of Court street.

Wm. I. Williams, for constaucting sidewalk on the westerly side of Sixth street, between the southerly curb line of Fort street and a point 1000 feet southerly therefrom.

Same, for repairing sidewalk on the northerly side of Ohio street, between Indiana and Illinois streets.

Same, for constructing sidewalk on the northeast side of Fourteenth street, between Vermont and Rhode Island streets. Referred to Committee on Side and Cross Walks.

Philip Reep, for labor for Fire Department.

S. Bettinger, for rent of barn for Fire Department.

Isaac Holloway, for repairing sidewalk in front of Engine House on south side of Huron street, between Oak and Elm streets.

Bangasser & Brother, for repairs for Fire Department.

Wm. I. Williams, for sundries for Fire Department.

Same, for reparing Steam Fire Engine "Seneca" House.

Same, for repairing Eagle Hose Co. No. 2 House. Referred to Committee on Fire.

Richard Hextal, for repairing and deepening well on south side of Eagle street, 400 feet east of Michigan street.

John Wannop, for repairing well and receiver on north side South Division street, between Spring and Jefferson streets. Referred to Committee on Water.

James Inglis, for extra services in Comptroller's office.

H. G. White, for curtains, &c., for Treasurer's office.

Geo. Argus, for Livery for Assessors.

Harriet Atwood, for cleaning city offices and washing towels.

H. C. Olver, for ice tongs for City Hall.

Hamlin & Mendsen, for sundries for decorating Council Chamber.

D. Taylor, for repairing locks and keys for City Buildings.

Wm. H. Peabody, for Gum Arabic for City Clerk's office.

Peter Rohe, for se vices as Inspector of Election at Special Election.

A. M. Clapp & Co., for advertising for City Clerk.

A. B. Dickerson, for paid for printing Harbor Master's circulars. Referred to Committee on Claims.

John O. Hopkins, for commitments to Penitentiary.

Adam Jones, for same.

Eli Fontain. for same. Referred to Committee on Police.

Buffalo Gas Light Co., for Gas for Public Lamps for July 1861.

J. G. Turner, for lighting Public Lamps for July 1861. Referred to Committee on Public Lamps.

John Elliott, for amount paid for Straw for Pest House.

Frederick Schiefer for repairs at Pest House. Referred to Committee on Sanitary Measures.

Adam M. Deihl, for constructing bridge across Scajaquada Creek on Puffer street.

John Campbell, for making Fifth street, from Connecticut to Vermont street.

Henry Harter, Jr., for repairing easterly side of Niagara street at the southerly end of bridge across Scajaquada Creek. Referred to Committee on New Territory.

Samuel C. Green, for services as keeper of Prospect Hill Parks for July 1861. Referred to Special Committee on Prospect Hill Parks.

ACCOUNTS ALLOWED.

Wm. Mensch, for removing dirt from paved streets, &c., in July—$266 67.

Chas. Broshart, for services as Street Inspector for July—$33 75.

F. C. Schmelzer, for same—$33 75.

Jacob Sohn, for same—$33 75.

John B. Sewell, for same—$33 75.

John Drexler, for same—$33 75.

Ald. Howard moved that when this Council adjourns, it adjourn to meet at one quarter of a minute past seven o'clock this evening. Carried.

REPORTS OF COMMITTEES.

Ald. Howard, from the Committee on Finance, reported in favor of the adoption of the following resolutions:

That the City Treasurer be, and he is hereby directed to pay an order (No. 1184) drawn on the General Fund, 1858, with interest thereon. Adopted. Ayes, 17; Noes, 0.

That an order on the Tax Loan Fund be drawn in favor of O. J. Green, County Clerk, for $73 75, in full payment of his account for searches upon tax certificates.—Adopted.

That the Receiver of Taxes be and he is hereby authorized to incur the expense of not exceeding five dollars for livery to enable him to post the notices in different wards of the receipt by him of the general tax rolls of 1861. Adopted.

That the Comptroller be and he is hereby directed to cancel of record the sale of June, 1861, for non-payment of tax for lamp extension of 1858 of lot on west side of Potter street, being 80 feet front by 100 feet deep, commencing 86 feet north of William street, and that the Comptroller be directed to call upon S. Scheu, Esq., late Receiver of Taxes to pay to the city the amount of such tax and interest and expense of sale, the said tax having been paid to him prior to such sale. Adopted.

That the Comptroller be, and he is hereby directed to cancel of record, the tax sale of June 1st., 1860, for the non payment of taxes and assessments charged on the General Tax Rolls, for 1859, of lot on the east side of Bennett street, part of outer lot No. 115, lying 115½ feet north of William street, being 24 feet front by 132 feet deep, and that the Comptroller be, and he is hereby directed to call upon the late Receiver of Taxes, S. Scheu, to pay the city the amount of such tax, interest and expense of such sale, the amount having been paid to him before such sale. Adopted.

That the petition of Mrs. Cecilia Coan, asking to have amount paid by her, on assessment roll No. 1310, for Extending Carolina street, from present termination at Erie Canal, to the Erie Basin, be, and the same is hereby denied, and that said Coan have leave to withdraw her petition. Adopted.

That upon filing with the Comptroller the petitions of Emily White, together with the proofs accompanying the same, in which she asks for a declaration of sale upon the tax certificate No. 3,103, of the sale of June 23, 1858, of lot on the northeast side of Terrace, southerly part of inner lot No. 134, lying 111½ feet northwest of Church street, being 24 feet front by 37 feet deep; also for a declaration of sale upon tax certificate No. 3,302, of same sale, of lot on the southeast side of Hudson street, part of block No. 60, lying 85 feet northeast of Eleventh street, being 30 feet front by 96 feet deep—the said Comptroller execute and deliver to said White a declaration of sale upon each of the above named certificates, in the form prescribed by the city charter. Adopted.

That upon filing the petition of Wm. P. Fisher with the proofs accompanying the same with the Comptroller, in which said Fisher asks for a declaration of sale on certificate of tax sale No. 8833, of the sale of June 23d, 1858, of lot on the northwest side of Main street, part of lot No. 62, lying on the south corner of Delavan avenue, being 632 44-100 feet front in depth to Linwood avenue, the said Comptroller execute and deliver to said Wm. P. Fisher a dec'aration of sale thereon in the form prescribed by the charter. Adopted.

That upon filing the petition of T. Pinner with the proofs accompanying the same with the Comptroller, in which said Pinner asks for a declaration of sale on certificate of tax sale No. 584, of the sale of May 27, 1557, also on certificate of tax sale No. 823, of the sale of June 23d, 1858, of lot on the south side of Eagle street, part of outer lot No. 149, lying 57 feet west of Jefferson street, being 30 feet front by 127 feet deep, the said Comptroller execute and deliver to said T. Pinner a declaration of sale thereon in the form prescribed by the charter. Adopted.

That upon filing the petition of John T. Tilley, with the proofs accompanying the same with the Comptroller, in which said Tilley asks for a declaration of sale on certificate of tax sale No. 1807 of the sale of June 1st, 1859, of lot on the northwest side of Batavia street, part of outer lot No. 122, lying 62 feet southwest of Ash street, being 30 feet front by 110 feet deep, the said Comptroller execute and deliver to said John T. Tilley a declaration of sale thereon, in the form prescribed by the charter. Adopted.

That upon filing the petition of John T. Tilley, with the proofs accompanying the same with the Comptroller, in which said Tilley asks for a declaration of sale on certificate of tax sale No. 1070, of the sale of June 1st, 1859, of lot on the north side of South Division street, part of farm lot No. 16, lying 143 64-100 feet west of Emslie street, being 75 feet front by 105 feet deep, the said Comptroller execute and deliver to said John T. Tilley a declaration of sale thereon, in the form prescribed by the charter. Adopted.

That, upon filing the petition of Emily White, with the proofs accompanying the same, with the Comptroller, in which the said White asks for a declaration of sale on certificate of tax sale No. 1523 of the sale of June 23d, 1858, of lot on the east side of Potter street, part of outer lot No. 116, lying 142 feet north of William street, being 25 feet front by 137 feet deep, the said Comptroller execute and deliver to said Emily White a declaration of sale thereon in the form prescribed by the charter. Adopted.

That, upon filing petition of Emily White, with the proofs accompanying the same, with the Comptroller, in which said White asks for a declaration of sale on certificate of tax sale No. 1844 of the sale of June 23d, 1858, of lot on the east side of Michigan street, part of outer lots Nos. 129, 130, lying 279 feet north of Sycamore street, being 28 feet front by 186 feet deep, the said Comptroller execute and deliver to said Emily White a declaration of sale thereon, in the form prescribed by the charter. Adopted.

That the petition of John T. Tilley asking for a declaration of sale on tax certificate No. 2,567, of the sale of June 1st, 1859, be and the same is hereby denied, and that said Tilly have leave to withdraw his petition for the amendment of his proofs. Adopted.

That the Comptroller be and he is hereby authorized to cancel and discharge of record the tax sale of June 1st, 1861, to E. S. Otto, for $28 35, of lot on the northwest corner of South Division and Elm streets, being part of

outer lot No. 104, and being 50 feet front by 115 feet deep. Adopted.

That upon filing with the Comptroller the petitions of John T. Tilley, and the proofs accompanying the same, in which said Tilley asks for a declaration of sale on tax certificate No. 1344 of sale of June 1st, 1859, of lot on the west side of Michigan street, part of outer lot No. 136, lying on the north corner of Genesee street, being 88 feet front by 80 feet (southwest line) 70 feet (north line) deep (triangle) Also on tax certificate No. 148 of same sale, of lot on the south side of Elk street, part of outer lot No. 63, lying 100 feet east of Moore street, being 21¼ feet front by 175 feet deep. Also on tax certificate No. 195 of same sale, of lot on the east side of Fulton street, part of outer lot No. 67, lying 194 feet west of Alabama street, being 25 feet front by 140 feet deep; the said Comptroller be and he is hereby authorized and directed to execute and deliver to said Tilley a declaration of sale upon each of said certificates in the form prescribed by the charter. Adopted.

That the petition of John T. Tilley asking for a declaration of sale on tax certificate No. 3041, of the sale of June 1st, 1859, be and the same is hereby denied, and that said Tilley have leave to withdraw such petition.—Adopted.

That upon filing with the Comptroller the petition of Samuel Carey, and the papers accompanying the same —in which said Carey asks for a declaration of sale on tax certificate No. 739 of the sale of June 23d, 1858, of lot on the easterly side of Washington street, part of outer lot No. 114, lying on the south corner of North Division street, being 50 feet front by 132 feet deep, the Comptroller, execute and deliver to said Carey, a declaration of sale thereon in the form prescribed by the City Charter. —Adopted.

That an order be drawn on the General Fund of 1860, for $70 28 in favor of the Comptroller, and that he be authorized to receive the assignment or surrender to the City from Trumbull Cary, of the certificate of Tax Sale No. 223 of sale of January 28th, 1857, of lot on east side of the City Ship Canal, part of outer lot No. 41, commencing 162 9-100 feet south of the north line of lot 41, being 60 feet front, in depth to Buffalo Creek, and that upon such assignment or surrender of said cirtificate and proofs, said Comptroller be authorized to pay said Cary the amount of the order hereby directed to be drawn. Adopted.

That an order be drawn on the General Fund of 1860, for $308 55, in favor of the Comptroller, and that he be authorized to receive the assignment or surrender to the City from Trumbull Cary of the certificate of Tax Sale No. 221 of sale of January 28th, 1857, of lot on the east side of the City Ship Canal, part of outer lots No. 43 and 44, commencing 101 67-100 feet south of north line of lot 43, being 233 33-100 feet front in depth to Buffalo Creek, and that upon such assignment or surrender of said certificate and proofs, said Comptroller be authorized to pay said Cary the amount of the order hereby directed to be drawn. Adopted.

That an order be drawn on the General Fund of 1860, for $25 28 in favor of the Comptroller, and that he be authorized to receive the assignment or surrender to the City, from Trumbull Cary, of the certificate of Tax Sale No. 210, of sale of January 28th, 1857, of lot on the west side of the City Ship Canal, part of outer lot No. 41, commencing 162 9-100 feet south of the north line of lot 41, being 60 feet front in depth to sea wall, and that upon such assignmeat or surrender of said certificate and proofs, said Comptroller be authorized to pay said Cary the amount of the order hereby directed to be drawn.—Adopted.

That an order be drawn on the funds for School District No. 4, for $14 44, in favor of the Comptroller and that he be authorized to receive the assignment or surrender to the City from Trumbull Cary, of the certificate of Tax Sale No. 273, of sale of August 22d, 1855, of lot on westerly side of Ship Canal, part of outer lot 41, commencing 160½ feet south of north line of lot 41, being 50 feet to sea wall, and that upon such assignment or surrender of said certificate and proofs, said Comptroller be authorized to pay said Cary the amount of the order hereby directed to be drawn. Adopted.

That an order be drawn on the General Fund 1860, of for $69 83, in favor of the Comptroller, and that he be authorized to receive the assignment or surrender to the city, from Walter Carey, of the certificate of tax sale No. 208, of January 28, 1857, and accompanying certificates and proofs, of lot on the west side of City Ship Canal, part of outer lots 43 and 44, commencing 101 67-100 feet south of the north line of lot 43, being 233 33 100 feet front in depth to sea wall; and that upon such assignment or surrender of said certificate and proofs, said Comptroller be authorized to pay said Cary the amount of the order hereby directed to be drawn. Adopted.

That an order be drawn on the fund, for School District No. 4, in favor of the Comptroller, for $9 38, and that the Comptroller be and he is authorized to receive the assignment or surrender to the city, from Walter Carey, of the certificate of tax sale No. 275, of August 22d, 1855, of lot on the westerly side of Ship Canal, part of outer lots 43 and 44, commencing 101 67-100 feet south of the north line of lot 43, being 269⅓ feet to sea wall; and that upon such assignment or surrender of said certificate and proofs, said Comptroller be authorized to pay said Carey the amount of the order hereby directed to be drawn. Adopted.

That an order for $7 77 be drawn on the fund for well on the corner of Exchange and Washington streets, in favor of the Comptroller, and that he deposit the same with the City Treasurer, to the credit of the fund for a Sewer and Receiver, and repairing same at north-west corner of Exchange and Washington streets, and that he then notify Messrs. Marshall and Harvey, Agents, that local order No. 1750, dated Sept. 26, 1854, will be paid on presentation to the City Treasurer. Adopted. Ayes, 18; Noes, 0.

Ald. Wheeler, from the Committee on Schools, reported in favor of the adoption of the following resolutions:

That it is hereby ordered by the Common Council that a Primary School building be built in School District No. 15. Adopted.

That the City Assessors be and they are hereby directed to assess upon the taxable property in the district or territory hereinafter described, and known as School District No. 15, the sum of $2,400 for the purpose of payment for the building and furnishing of a Primary School building therein, and the repairing of the School House therein, and the building and furnishing the appurtenances thereto; which said district is bounded as follows: On

the north by North street; on the south by Tupper, Michigan and Genesee streets; on the east by Jefferson and Genesee streets; on the west by Main and Michigan streets. Adopted.

That when an assessment shall be confirmed to defray the expenses, the Superintendent of Schools and the Chairman of the Committee of Schools, are hereby authorized and directed to contract with Wesley Emmons and John Wild for the building of a Primary School house in School District No. 15, in accordance with the plans and specifications on file in the office of the Superintendent of Schools, for the sum of eighteen hundred and forty-four dollars, ($1,844.) Adopted.

That the resolution heretofore adopted by this Council, under date of June 10, 1861, directing the city assessors to assess the sum of $500 on the taxable property of school district No. 16, be and the same is hereby repealed: and

That the city assessors be and they are hereby directed to assess the sum of $250 upon the taxable property of school district No. 16, (as said district is described in the city ordinances) for the purpose of paying for the building, furnishing and repairs of the school house in said district, and the appurtenances thereto. Adopted—ayes 18, noes 0.

That the resolution passed June 10, 1861, directing the sum of $300 to be assessed on the taxable property of school district No. 18, be and the same is hereby repealed—and that instead thereof the assessors be and they are hereby directed to assess upon the taxable property of school district No. 18, (as described in the city ordinances) the sum of $150, for the purpose of paying for the building, furnishing and repair of the school house in said district, and the appurtenances thereto. Adopted—ayes 18, noes 0.

That the resolution of the council adopted June 10, 1861, directing the city assessors to assess the sum of $500 upon the taxable property of school district No. 20, be and the same is hereby rescinded. Adopted—ayes 18, noes 0.

That the city assessors be and they are hereby directed to assess the sum of $250 upon the taxable property of school district No. 20, (as the same is described in the city ordinances) for the purpose of paying for building, furnishing and repairing the school house in said district, and the appurtenances thereto. Adopted.

That George McDuffie be appointed a Commissioner of Deeds in and for the City of Buffalo. Adopted.

That the Superintendent of Schools and the Committee on Schools be, and they are hereby authorized to contract with the person or persons whose bid they shall deem best for the interests of the city, to furnish wood for the School Department, in accordance with the resolution of this Council, directing the School Committee to advertise for proposals to furnish such wood. Adopted.

Also in favor of allowing the following accounts, and of drawing orders for the same:

William Coleman, for shrubbery for Central School lot —$4 55.

J. W. Barker, for bell for School House No. 32—$2.

John Gibel, for repairing pump at Central School—$3 20.

J. W. Barker, for labor at school lot No. 32—$4 75.

P. A. Balcom, for rent of house in school district No. 15, to August 1st, 1861—$52. Adopted.

Ald. Brush, from the Committee on Sewers, reported in favor of allowing the following accounts, and of drawing orders for the same:

John Wannop, for repairing the receiver and sewer at the north-west corner of Clinton and Spring streets—$4 82.

John Wannop, for repairing the receiver on the southerly side of Elk street, near the west side of the State Line Railroad—$3 72.

Same, for repairing receiver on the northerly side of Elk street, near the west side of the State Line Railroad —$3 88.

Same, for repairing receiving sewer at the north-west corner of Clinton and Jefferson streets—$2 51. Adopted.

Also reported in favor of drawing an order in favor of the City Attorney, for $26 85, to pay account of Churchyard & Benzinger, for digging test pits for sewer in Batavia street, and another in favor of same for $ 12, to pay costs in suit of same. Adopted.

Also in favor of directing the City Assessors to make assessments as follows:

Assess $11 85 for reconstructing a sewer and receiver on the west side of Maiden Lane about 25 feet northerly from Fly street. Adopted.

Assess $13 63 for reconstructing the receiving sewer at the northeast corner of Perry and Hayward streets. Adopted.

Assess $13 63 for reconstructing a receiving sewer at the northwest corner of Perry and Hayward streets. Adopted.

Also, in favor of allowing the following accounts and of drawing orders for the same:

Henry Harter, Jr., for repairing sewer in Hudson st., between the Erie Canal and Fifth street—$14 29.

John Wannop, for repairing and cleaning sewer at the northeast corner of Seneca and Michigan streets—$2 93. Adopted.

Ald. Storck was called to the chair.

Ald. Swartz, from the Committee on Side and Crosswalks, reported in favor of directing the City Assessors to make assessments as follows:

Assess $27 for repairing plank sidewalk on the easterly side of Norton street, between Water and Peacock streets. Adopted.

Assess $33 92 for repairing a plank sidewalk on the southerly side of Edward street, between Delaware and Virginia streets. Adopted.

Assess $8 50 for repairing the sidewalk on the easterly side of Ninth street, between York and Jersey streets. Adopted.

Assess $4 40 for repairing the plank sidewalk on the southwesterly side of Palmer street, between Virginia street and a point 150 feet southeasterly therefrom. Adopted.

Assess $9 76 for constructing a plank sidewalk on the northeasterly side of Ninth street, between Hudson and Pennsylvania streets. Adopted.

Also, in favor of allowing the following account and of drawing an order for the same:

David Walker, Jr., for repairing crosswalk across Fourteenth street, on the northwest side of Vermont street—$1 88. Adopted.

Also, in favor of directing the City Assessors to make assessments as follows:

Assess $39 31 for repairing the plank sidewalk on the northerly side of Carroll street, between Michigan and Chicago streets. Adopted.

Assess $38 56 for repairing the plank sidewalk on the southerly side of Carroll street, between Michigan and Chicago streets. Adopted.

Also, in favor of allowing the following account, and of drawing an order for the same:

Frederick Scheiffer, for constructing sidewalk on the southerly side of Burton Alley, between Washington and Oak streets—$12 72. Adopted.

Ald. Yaw, from the Committee on Fire, reported in favor of allowing the following accounts, and of drawing orders for the same:

J. H. Carpenter, for sundry repairs for Fire Department—$54 00.

Richard Exelry, for sundry repairs for Fire Department—$83 39.

Hersee & Timmerman, for furniture for House of Steamer Seneca—$14 00.

Kolb & Co., for harness for Fire Department—$40 00.

E. Hammersmith, for wood for same—$4 50.

Wm. Taylor for hose for same—$23 25.

H. S Chamberlain, for repairing Steam Fire Engines—$44 00.

John J. Leader, for shoeing horses for Fire Department—$23 93. Adopted.

Also, in favor of the adoption of the following resolutions:

That an order on the General Fund, 1861, Fire Department, be drawn in favor of the Fire Marshal, for $100 00, to pay for repairs done to the Engine House occupied by Neptune Hose Co. No. 5, in accordance with a resolution adopted by this Council April 29. Adopted.

That permission be and is hereby granted to James Davis to rebuild a frame barn in the rear of his house on the east side of Niagara street, between Hudson and Pennsylvania streets—the size of said barn to be 25 by 13 feet, and 8 feet high, to be built under the direction of the Fire Marshal, and subject to the further order of this Council. —Adopted.

That in consequence of the introduction of two additional steam fire engines, it is the duty of this Council to proportionately decrease the hand engine companies, that from the location of engine Companies Nos. 2 and 3, the services of such companies can be dispensed with, without detriment to the public interest—therefore it is hereby ordered that said Engine Companies Nos. 2 and 3 be and the same are hereby disbanded, and that the members of said companies who have not served the full time required to entitle them to their discharge, be permitted to join other companies for the purpose of serving out such time. Adopted.

That the Fire Marshal be and the same is hereby directed to take immediate charge of Engine Houses No. 2 and 3, and all the fire apparatus and other property belonging to the city in possession of Engine Companies Nos. 2 and 3. Adopted.

That permission be and is hereby granted to Henry Purcell to build a wooden fence around his lot on the corner of Michigan and Carroll streets, such fence not to be over 20 feet in height, and to be built under the direction of the Fire Marshal, and subject to the further order of this Council. Adopted.

That permission be and is hereby granted to John Brinkworth to remove from the south side of Fulton street to the south side of Perry street, three frame buildings, such buildings to be placed upon the rear of said Brinkworth's lot, and not to cover more than one-half the rear end of lot, and to be removed under the direction of the Street Commissioner and subject to the further order of this Council. Adopted. Ayes, 18; Noes, 0.

Ald. Jones, from the Committee on Water, reported in favor of allowing the following accounts, and of drawing orders for same:

John Gisel for pump to the well at the corner of Sycamore and Camp streets—$9 84.

John Wannop, for repairing the well and sewer at the northwest corner of Swan and Jefferson streets—$9 94.

Same, for repairing receiver to the well on the south side of Perry street, between Chicago street and canal slip—$2 70. Adopted.

Ald. Dayton, from the Committee on Claims, reported in favor of allowing the following accounts, and of drawing orders for the same:

Samuel Beals, the balance due for services in Assessor's office—$13 85.

Elijah Wells, for amount paid for cleaning city offices—$10 50

A. M. Clapp & Co., for advertising, charged at $15 30 allowed at $14. Adopted.

By Ald. Allen—

The Committee on Wharves, Harbors and Ferries, to whom was referred the subject matter of a ferry over the Niagara River, report that they have had the subject matter under consideration, and after mature deliberation they have concluded to submit the following as their report; and they recommend that it be adopted as an ordinance, to be entitled "Of Ferries."

Resolved, That the Common Council of the city of Buffalo, by virtue of the power and authority vested in them by the Charter of the said city, do enact the following ordinance, to be entitled "Of Ferries," and that the ordinance entitled "Of Ferries," enacted by this Council June 12, 1861, be and the same is hereby repealed.

CHAPTER V.

OF FERRIES.

§ 1. Every license for keeping and operating a ferry or ferries, shall continue in force for a term to be fixed by the Common Council, not exceeding five years after the same is granted.

§ 2. The right to operate any ferry, either within the City of Buffalo or across the Nirgara River, shall be let to such party or parties as the Common Cauncil may determine, at rates of ferriage not exceeding the following:

For each four-horse wagon and driver, not exceeding $0 50.

For each two-horse wagon and driver, not exceeding $0 35.

For each one-horse wagon and driver, not exceeding $0 20.

For each passenger in any vehicle, except the driver, $0 05.

For each horse and rider, not exceeding $0 15.

Cattle, horses and mules, each, not exceeding $0 10.

Hogs and sheep, not exceeding each $0 03.

Each barrel bulk not exceeding $0 05.

Grain in bags, loaded on wagon, not exceeding $0 01 per bush.

All articles not enumerated, per barrel bulk, $0 05.

Passengers, each, not exceeding $0 05.

§ 3. The Common Council will grant the right and privilege of operating steam ferry or ferries, from the foot of Ferry, Albany or Breckenridge street, or such other public street as the Common Council may hereafter designate, across the Niagara river to some point on the Canada side, under the terms, conditions and stipulations set forth in this ordinance:—The party or parties obtaining such privilege shall pay the sum of five dollars yearly into the City Treasury, and the Mayor shall issue a license for such time as the Council shall determine, not exceeding five years.

§ 4. All licenses for ferries shall be issued under the corporate seal of the city, and shall be signed by the Mayor and City Clerk, and the Common Council will grant such right and privileges to such persons only, as shall furnish satisfactory evidence that they have such boat or boats for such service as are proper for such ferry purposes, and that they comply in all particulars with the United States Inspection Laws.

§ 5. The ferry-boat or boats used in the passage of persons and property over said river, under the provisions of this grant, shall be well arranged for the convenience of passengers and the transportation of property, and shall be at least 90 feet long and 30 feet wide over all, and shall be propelled by a good substantial engine of at least forty horse power.

§ 6. The person or persons receiving this grant will be required to run said ferry boat each day from sunrise to eight o'clock in the evening, from the first of April to the first of November, and until seven o'clock from the first of November to the first of April, making a round trip every thirty minutes, and thereafter every sixty minutes, until eleven o'clock, or until the last car on the Niagara street railroad shall have arrived at the crossing of the street from the foot of which said ferry shall start, and the passengers, if any, shall have reasonable time to arrive on board of said ferry-boat.

§ 7. Every grantee who shall violate any of the provisions of this ordinance, or shall demand, or receive, or knowingly suffer any person or persons in his or their employ, to demand, or receive greater rates, tolls, or ferriage, than those fixed by the Common Council, shall be subject to a penalty of fifty dollars for each and every such offence. On judgement being obtained therefor before any competent court, the grant for such ferry may be revoked.

§ 8. All money's received under this chapter, either for the grant of ferries, or penalties, or forfeitures recovered for the violation of its provisions, shall be paid to the City Treasurer, to the credit of the General Fund.

§ 9. Penalties incurred for a violation of any of the provisions of this chapter, may be sued for and recovered with costs, before any justice of the peace in and for said City.

§ 10. The Common Council hereby reserves the right to alter, amend or repeal the above act, and nothing in this grant contained shall interfere with any action of the Council in relation to the building of any bridge over said river.

§ 11. All ordinances conflicting with the foregoing sections are hereby repealed.

Ald. Dorr moved to strike out the words "until 11 o'clock, or until the last car on the Niagara street Railroad shall have arrived at the crossing of the street from the foot of which said ferry shall start, and the passengers, if any, shall have reasonable time to arrive on board of said ferry boat," in the sixth section, and to insert in place thereof the words "until 12 o'clock."

Ald. Allen accepted the amendment.

Ald. Bemis moved to further amend said report by inserting the following as section 11, and that section 11, as reported, be known as section 12.

"It is hereby expressly reserved to the City of Buffalo, that said City shall not in any event, be held responsible or liable for any damages that may arise in consequence of said license or licenses, grant or grants, herein provided to be made, or herein before provided."

Ald. Allen accepted the amendment, and the said report, as amended, was then adopted. Ayes, 18; Noes, 0.

Also reported in favor of the adoption of the following resolution:

That the Mayor be and he is hereby directed to execute a license to William Wallace, of Fort Erie, to operate a ferry over and across the Niagara River, for five years, on his furnishing satisfactory evidence of his ability to comply with all the provisions of the foregoing ordinance, and that the city of Buffalo is hereby exempted from any liability incident to the granting of this license. Adopted.

Also in favor of the adoption of the following:

That it is hereby ordered and determined by the Common Council of the city of Buffalo, that Buffalo Creek be dredged from the west end of the north pier to the southerly side of South street, according to the plans and specifications now on file in the City Surveyor's office, at an expense not exceeding six thousand dollars.

That the Committee on Wharves, Harbors and Ferries and the City Surveyor be authorized to conract with Thomas Dunbar to dredge Buffalo Creek from the west end of the north pier to South street, at an expense not to exceed 12 cents per cubic yard, and a total expense not exceeding six thousand dollars.

That the Committee on Wharves, Harbors and Ferries and the City Surveyor, be authorized to contract with Wm. R. Strong to dredge Buffalo Harbor outside of the north pier, according to the plans now on file in the City Surveyor's office, at an expense not exceeding 12 cents per cubic yard, and at a total expense not exceeding three thousand dollars.

Ald. Bemis moved that said report be laid on the table for one week, and that the City Surveyor be directed to take soundings and make a survey and map of the channel of Buffalo Creek, and make his recommendations where and at what points said creek or channel should be dredged, and report at the next meeting of this Council the amount of dredging necessary to be done. Carried.

Ald Yaw, from the Committee on Public Lamps, reported in favor of the adoption of the following resolution:

That the Committee on Public Lamps, be, and they are hereby authorized to cause one additional Lamp to be placed on Elm street, between Swan and South Division streets at such point as your Committee may deem best. Adopted.

Ald. Russell, from the Committee on License, reported

in favor of authorizing His Honor the Mayor to grant licenses to sell fresh meat as follows:

Frank Huenfield, at corner of Fifth and Carolina streets.

Valentine Specht, at corner of Genesee and Mortimer streets.

Joseph Hewman, on Vermont near Thirteenth street.

James Gardiner, at corner of South Division and Jefferson streets. Adopted.

Ald. Jones, from the Committee on Sanitary Measures, reported in favor of allowing the following account and of drawing an order for the same:

Jacob Whittaker, for disbursements for Pest House—$4 95. Adopted.

Ald. Crowder, from the Committee on New Territory, reported in favor of the adoption of the following resolutions:

That the owners of land on the easterly side of North Washington street, between Bouck and Bird Avenues, cause a sidewalk to be repaired in front of their respective lots by substituting new plank of same material and thickness of the old plank, where necessary, within five days, and if not done in that time that the Street Commissioner cause the same to be done, at an expense not exceeding $30 00, and report. Adopted.

That the Street Commissioner cause the culvert across Mason street, between Auburn Avenue and Breckenridge street, to be repaired with timber and stone, at an expense not exceeding $15 00, and report. Adopted.

That the Street Commissioner cause the Williamsville Road, between Clinton street and the Hyraulic Canal, to be repaired by filling holes, at an expense not exceeding $10, and report. Adopted.

That the Street Commissioner cause the wood culvert across Elmwood Avenue, about 150 feet southerly from Bouck Avenue, to be repaired at an expense not exceeding $10, and report. Adopted.

That the Street Commissioner cause the wood culvert across Vermont street, on the southwest side of Fourteenth street, to be repaired, at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause the wood culvert across Tenth street, on the north-westerly side of Vermont street to be repaired, at an expense not exceeding $6, and report. Adopted.

That the Street Commissioner cause the wood culvert across spring street, on the northerly side of Hinckly street to be repaired, at an expense not exceeding $6, and report, and that the resolution adopted Nov. 26, 1860, ordering a wood culvert constructed across Spring street, at the junction of Hinckley street, be rescinded. Adopted. Ayes, 19; Noes, 0.

That the Street Commissioner cause the bridge across Scajaquada Creek, on Delaware street to be repaired by piling and filling, &c, at an expense not exceeding $10, and report. Adopted.

That it is hereby ordered that the bridge across Cazenovia Creek, on Cazenovia Road, (or street,) be repaired, and that when an assessment shall be confirmed to defray the expense, the Street Commissioner is hereby authorized and directed to contract with Abram S Swartz for repairing said bridge, in accordance with the plan and specifications for doing the work referred to in the notice inviting proposals for the same, dated June 19, 1861, at a sum not exceeding $475. Adopted. Ayes, 19; Noes, 0.

Also, in favor of directing the City Assessors to make an assessment as follows:

Assess $475 for repairing the bridge across Cazenovia Creek, on Cazenovia Road, (or street.) Adopted.

That it is hereby ordered that a wood bridge be constructed across a ravine on Elk street, 286 feet easterly from Dole street, and that the Street Commissioner is hereby authorized to contract with Lauren Williams for doing the same in accordance with the plan of the City Surveyor and specifications for doing the work, at a sum not exceeding $75. Adopted.

Also in favor of directing the City Assessors to make an assessment as follows:

Assess $75 for constructing a wood bridge across a ravine on Elk street, 286 feet easterly from Dole street. Adopted.

Also in favor of the adoption of the following:

That the Common Council of the city of Buffalo intend to order a culvert constructed, 6 feet in diameter in the clear, of brick and stone, across Clinton street at a ravine between Bond street and the New York Central Railroad, and that the City Clerk cause the necessary notice of such intention to be duly published in the city paper, and that the Street Commissioner is hereby directed to advertise for 6 days in the city paper for proposals for doing the same in accordance with the plan of the City Surveyor submitted to this Council, June 8, 1861. Adopted.

Also in favor of directing the City Assessors to make assessments as follows:

Assess $4 83 for repairing the wood culvert across Fourteenth street, on the southeasterly side of Connecticut street. Adopted.

Assess $14 92 for repairing the plank sidewalk on the southeasterly side of Massachusetts street, between Tenth and Eleventh streets. Adopted.

Also in favor of the adoption of the following:

That the Common Council of the City of Buffalo intend to order a brick sewer constructed, two feet in diameter in the clear, with walls eight inches thick, in the centre of Parish street from the curb line on the easterly side of Niagara street easterly to the centre of Tonawanda street; thence along the centre of Tonawanda street to the centre of Amherst street; and that the City Clerk cause a notice of such intention to be duly published, and that the City Surveyor is hereby directed to make a profile and estimate the length and depth of excavation necessary to construct said sewer; also, what proportion of rock excavation, if any, for said sewer, and report the same to this Council. Adopted.

SPECIAL COMMITTEES.

Ald. Wheeler from the Special Committee on the subject of fixing the salaries to be paid to the several city officers to be elected at the next general election, reported in favor of fixing said salaries as follows:

	Salary per annum.
Mayor	$1,500
Comptroller	1,100
Street Commissioner	1,000
Superintendent of Schools	800
Receiver of Taxes	1,000
City Surveyor	800

City Treasurer	1,100
" Assessor	1,000
" Attorney	800
Overseer of the Poor	750

Ald. Howard called for a division of the question, so as to consider the salary for each office separately.

Ald. Allen moved to postpone said report for one week. Lost.

Ayes—Ald. Allen, Beckwith, Dayton, Dorr, Grass, Hanovan, Jones and Rutter—8.

Noes—Ald. Bemis, Brush, Crowder, Goembel, Russell, Scheu, Stork, Swartz, Wheeler and Yaw—10.

Ald. Howard, moved to amend said report by fixing the salary of Mayor at $1,600 instead of at $1,500 as reported. Carried.

Ayes—Ald. Allen, Beckwith, Brush, Crowder, Grass, Hanovan, Howard, Jones, Russell, Rutter, Stork and Swartz—12.

Noes—Ald. Bemis, Dorr, Goembel, Scheu, Wheeler and Yaw—6.

Ald. Bemis then moved that said report be laid upon the table to be taken up at the next meeting of the Council, first in order, under order of "Reports from Committees." Carried.

The hour of 7 o'clock, P. M., having arrived, the chair declared the Common Council adjourned, to meet this evening at one-quarter of a minute past 7 o'clock.

O. F. FRESBERY, City Clerk.

IN COMMON COUNCIL,
Buffalo, Monday, Aug. 12th, 1861,
At one quarter of a minute past 7 o'clock, P. M.

Present—Asaph S. Bemis, Esq., President of the Council, and Ald. Allen, Beckwith, Brush, Crowder, Dayton, Dorr, Goembel, Grass, Hannovan, Howard, Jones, Russell, Rutter, Scheu, Storck, Swartz, Wheeler and Yaw.

Absent—Ald. Adams, Felton, Mills, Palmer, Pratt, Savage and Walsh.

The reading of the minutes of the last meeting was dispensed with.

REPORTS OF COMMITTEES.

The following report presented to the Council at its former meeting held this day, and laid upan the table, was taken up:

The special committee to whom was referred the subject matter of fixing the salaries to be paid to the several city officers who are to be elected at the next general election, would respectfully report:

That your committee have had the subject under consideration, and have given it much attention.

The committee have assumed as a basis governing their actions and conclusions upon this subject—that it is now, and ever has been, the open policy of the present administration of the city government, from the date of its advent into power, to use its best endeavors to reduce the high rate of taxation in our city, which prevailed for a series of years prior to the incoming of the present power, and establish in lieu thereof, if possible, a standard rate, equivalent to the benefits derived, and commensurate with the ability and willingness of our citizens to pay therefor. And believing that the adherence of the Council to such policy for the past two years, has produced unmistakable results, beneficial to the interests of those of our citizens who bear the burden of expense for the support of the government. And further believing that in view of the present national disturbances, and of the prospective increase of taxation consequent thereon, an over-liberal rate of salary in the civil service should not be allowed at this time, if, for no other reason, that it operates as an incentive to *patriotic men* desiring to serve their country in some capacity, to prefer the civil service to that of the military.

Your Committee are further of the opinion and belief that the present rate of salaries paid to the city officers, is greater than should be allowed for the services rendered therefor; and this being the proper time to make the necessary reduction, if any, and believing that a still further reduction can be made in the salaries of the several city officers to be elected at the next general election, and that capable and trustworthy persons will be found ready and willing to serve the city, at the rates hereinafter proposed. Your Committee would recommend that the rates of compensation per annum, by way of salary or otherwise, to be allowed and paid to the several city officers, to be elected at the next general election, be fixed as follows, to wit:

	Salary per annum.
Mayor,	$1,500
Comptroller	1,100
Street Commissioner	1,000
Superintendent of Schools,	800
Receiver of Taxes	1,000
City Surveyor	800
City Treasurer	1,100
City Assessor	1,000
City Attorney	800
City Overseer of Poor	750

Your Committee therefere offer the following resolution, and recommend its adoption:

Resolved, That the compensation to be paid by the City of Buffalo, by way of salary or otherwise, to the several city officers above named, to be elected at the next general election, be, and the same is hereby fixed and determined by the Common Council of said city, at and after the rates per annum above set forth, for each office respectively, and in proportion thereto for the whole or a part of the official term, and any person accepting an office above specified, shall be deemed to accept the salary affixed thereto, as above specified, in full for all services rendered to the city, while in said office, and in proportion thereto for any part of the term.

JOEL WHEELER,
A. S. BEMIS,
JAMES ADAMS,
— PALMER,
JACOB SCHEU,
C. BECKWITH,

Ald. Allen moved that said report be postponed for one week. Lost.

Ald. Allen moved that the salary of Comptroller be fixed at $1,200, instead of $1,100, as reported by the Committee.

Ald. Howard moved that she same be fixed at $1,250. Carried.

Ayes—Ald. Allen, Beckwith, Crowder, Grass, Hanovan, Howard, Jones, Rutter, Swartz and Storck—10.

Noes—Ald. Bemis, Brush, Dayton, Dorr, Goembel, Russell, Scheu, Wheeler and Yaw—9.

Ald. Allen moved that the salary of Street Commission- be fixed at $900, instead of $1,000, as reported. Lost.

And the salary of Street Commissioner was then fixed at $1,000, as reported by the Committee.

Ald. Goembel moved that the salary of Superintendent of Schools be fixed at $1,000, instead of $800, as reported by the Committee.

Ald Dayton moved that same be fixed at $1,200. Lost.

Ayes—Ald. Allen, Beckwith, Dayton, Hanovan, Howard, Jones, Scheu and Storck—8.

Noes—Ald. Bemis, Brush, Crowder, Goembel, Grass, Russell, Rutter, Swartz, Walsh and Yaw—10.

Ald. Swartz, moved that same be fixed at $1,100. Lost.

Ayes—Ald. Allen, Brush, Dayton, Hanovan, Howard, Jones, Scheu, Swartz and Storck—9.

Noes—Ald. Beckwith, Bemis, Crowder, Goembel, Grass, Russell, Rutter, Wheeler and Yaw—9.

Ald. Howard then moved that same be fixed at $1,150. Lost.

And the motion of Ald. Goembel to fix same at $1,000, was then carried.

Ayes—Ald. Allen, Beckwith, Brush, Crowder, Dayton, Dorr, Goembel, Grass, Hanovan, Howard, Jones, Russell, Rutter, Wheeler and Yaw—15.

Noes—Ald. Bemis, Swartz and Storck—3.

Ald. Allen moved that the Common Council do now adjourn, to meet this evening, at 8 o'clock Lost.

Ald. Howard moved that the salary of the Receiver of Taxes be fixed at $1,100, instead of $1,000, as reported by the Committee.

Ald. Allen moved that same be fixed at $1,200. Lost.

Ayes—Ald. Allen, Beckwith, Goembel, Grass, Hanovan, Jones and Scheu—7.

Noes—Ald. Bemis, Brush, Crowder, Dayton, Dorr, Howard, Russell, Rutter, Swartz, Storck, Wheeler and Yaw—12

The motion of Ald. Howard, that same be fixed at $1,100, was then carried.

Ayes—Ald. Allen, Beckwith, Brush, Dayton, Dorr, Goembel, Grass, Hanovan, Howard, Jones, Scheu, Swartz and Storck—13.

Noes—Ald. Bemis, Crowder, Russell, Rutter, Wheeler and Yaw—6

Ald. Storck moved that the vote fixing salary of Superintendent of Schools be reconsidered. Carried.

Ayes.—Ald. Allen, Beckwith, Bemis, Crowder, Dayton, Dorr, Hanovan, Howard, Jones, Russell, Rutter, Scheu, Swartz, Storck and Yaw—15.

Noes—Ald. Brush, Goembel, Grass and Wheeler—4.

Ald. Storck moved that the salary of Superintendent of Schools be fixed at $1250.

Ald. Storck moved that Ald. Allen be excused from further attendance at this meeting. Motion withdrawn.

Ald. Storck then withdrew his motion, that the salary of Superintendent of Schools be fixed at $1250.

Ald. Beckwith moved that Ald. Allen be excused from further attendance at this meeting of the Council.—Carried.

Ald. Storck then renewed his motion that the salary of Superintendent of Schools be fixed at $1250.

Ald. Wheeler moved that same be fixed at $1200.

Ald. Storck withdrew his motion.

And the motion of Ald. Wheeler that the salary of Superintendent of Schools be fixed at $1200 was then carried.

Ayes.—Ald. Beckwith, Crowder, Dayton, Dorr, Hanovan, Howard, Jones, Scheu, Swartz, Storck and Yaw—11.

Noes—Ald. Bemis, Brush, Goemble, Grass, Russell, Rutter and Wheeler—7.

Ald. Storck moved that the salary of City Surveyor be fixed at $1000 instead of $800, as reported by the committee. Lost.

Ayes—Ald. Beckwith, Crowder, Dayton, Dorr, Howard, Jones, and Storck—7.

Noes—Ald. Bemis, Brush, Goembel, Grass, Hanovan, Russell, Rutter, Scheu, Swartz, Wheeler and Yaw—11.

Ald. Grass moved that the same be fixed at $900. Carried.

Ayes—Ald. Beckwith, Crowder, Dayton, Dorr, Goembel, Grass, Hanovan, Howard, Russell, Rutter, Storck, Swartz and Yaw—13.

Noes—Ald. Bemis, Brush, Scheu and Wheeler—4.

Ald. Storck moved that the salary of City Treasurer be fixed at $1250 instead of $1100, as reported by the committee. Carried.

Ayes—Ald. Beckwith, Brush, Crowder, Dayton, Dorr, Grass, Hanovan, Howard, Jones, Russell, Rutter, Scheu, Storck, Swartz and Yaw—15.

Noes—Ald. Bemis, Goembel and Wheeler—3.

Ald. Storck moved that the salary of City Assessor be fixed at $1000, as reported by the committee. Carried.

Ald. Stork moved, that the salary of the City Attorney be fixed at $1,000, instead of $800 as reported by the Committee.

Ald. Howard moved that same be fixed at $1,200. Lost.

Ayes—Ald. Beckwith, Brush, Crowder, Dayton, Grass, Hannovan, Howard, Jones and Scheu—9.

Noes—Ald. Bemis, Dorr, Goembel, Russell, Rutter, Storck, Swartz, Wheeler and Yaw—9.

Ald. Grass moved that same be fixed at $1,100. Lost.

Ayes—Ald. Beckwith, Brush, Crowder, Dayton, Dorr, Grass and Hannovan—7.

Noes—Ald. Bemis, Goembel, Howard, Rutter, Russell, Scheu, Stork, Wheeler and Yaw—9.

Ald. Howard then moved that the same be fixed at at $1,250. Lost.

Ayes—Ald. Beckwith, Crowder, Hannovan, Howard, Jones and Scheu—6.

Noes—Ald. Bemis, Brush, Dayton, Dorr, Goemble, Russell, Rutter, Storck, Swartz, Wheeler and Yaw—11.

Ald. Crowder moved that same be fixed at $1,150. Lost.

Ayes—Ald. Beckwith, Brush, Crowder, Dayton, Grass, Hannovan, Howard, Jones and Scheu—9.

Noes—Ald. Bemis, Dorr, Goembel, Russell, Rutter, Stork, Swartz, Wheeler and Yaw—9.

Ald. Howard then moved that same be fixed at $1,175 Lost.

Ayes—Ald. Beckwith, Crowder, Dayton, Grass, Hannovan, Howard, Jones and Scheu—8.

Noes—Ald. Bemis, Brush, Dorr, Goembel, Russell, Rutter, Storck, Swartz, Wheeler and Yaw—10.

Ald. Hanovan moved that the same be fixed at 1225.—Lost.

Ayes—Ald. Beckwith, Crowder, Dayton, Goembel, Grass, Hanovan, Howard, Jones, Scheu—9.

Noes—Ald. Bemis, Brush. Dorr, Russell, Rutter, Storck, Swartz, Wheeler and Yaw—9.

The question was then taken on the motion of Ald. Storck, that the salary of City Attorney be fixed at $1000, and the same was carried.

Ayes—Ald. Beckwith, Brnsh, Dayton, Dorr, Goembel, Grass, Hanovan, Russell, Rutter, Storck, Swartz, Wheeler and Yaw—13.

Noes—Ald. Bemis, Crowder, Howard, Jones and Scheu—5.

Ald. Hanovan moved that the salary of Overseer of the Poor be fixed at $850, instead of $750, as reported by the Committee. Lost.

Ayes.—Ald. Beckwith, Brush, Crowder, Dayton, Dorr, Goembel, Grass, Hanovan and Scheu—9.

Noes—Ald. Bemis, Howard, Jones, Russell, Rutter, Storck, Swartz, Wheeler and Yaw—9.

Ald. Storck moved that same be fixed at $800. Carried.

Ayes.—Ald. Beckwith, Brush, Crowder, Dayton, Dorr, Goembel, Grass, Hanovan, Howard, Jones, Russell, Scheu, Storck, Swartz and Yaw—15.

Noes—Ald. Bemis, Rutter and Wheeler—3.

Ald. Wheeler moved that the salary of the Mayor be fixed at $1600. Carried.

Ayes—Ald. Beckwith, Brush, Crowder, Dayton, Dorr, Goembel, Grass, Hanovan, Howard, Jones, Russell, Rutterr, Scheu, Storck, Swartz Wheeler and Yaw—17.

Noes—Ald. Bemis—1.

Ald. Storck was called to the Chair.

Ald. Beckwith moved that the vote fixing salary of Superintendent of Schools, and vote fixing salary of Receiver of Taxes be reconsidered.

The Chair decided that the motion of Ald. Beckwith was not in order, for the reason that the question of fixing salary of Suphrintendent of Schools had been once reconsidered, and under the rules could not again be reconsidered at this meeting of the Council

Ald. Beckwith appealed from the decision of the Chair.

The decision of the Chair was sustained.

Ayes—Ald. Brush, Dayton, Dorr, Hanovan, Howard, Jones, Rutter, Scheu and Swartz—9.

Noes—Ald. Beckwith, Bemis, Crowder, Goembel, Russell, Wheeler and Yaw—7.

The question being on the adoption of the said Report of the Special Committee, as a whole, as same was amended by the several foregoing motions.

Ald. Dayton moved the previous question, which was ordered.

Ayes—Ald. Beckwith, Dayton, Dorr, Goembel, Hanovan, Jones, Russell, Scheu, Storck and Swartz—10.

Noes—Ald. Bemis, Brush, Crowder, Howard, Rutter, Wheeler and Yaw—7.

The said report, as amended, was then adopted as whole, by the following vote:

Ayes—Ald. Beckwith, Brush, Dayton, Dorr, Goembel, Hanovan, Howard, Jones, Russell, Scheu, Storck and Swartz—12.

Noes—Ald. Bemis, Crowder, Rutter, Wheeler and Yaw—5.

Ald. Bemis moved that the Clerk be directed to publish in the official paper the proceedings of the Common Council in full. Carried.

Ayes—Ald. Bemis, Brush, Crowder, Dayton, Dorr, Goembel, Hannovan, Howard, Jones, Russell, Rutter, Scheu, Swartz, Wheeler and Yaw—15.

Noes—Ald. Beckwith and Storck—2.

Ald. Wheeler moved that the Common Council do now adjourn.

Ald. Dorr moved that the Council adjourn for two weeks.

Ald. Beckwith moved that the Council adjourn until the first Monday of September next.

Ald. Bemis moved that the Council do now adjourn.

Pending the question on the above motions, the Chair declared the Common Council adjourned, to meet next Monday afternoon, August 17th, 1861, at 2 o'clock.

OTIS F. PRESBREY, City Clerk.

MINUTES No. 30.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Aug. 19, 1861,
at 2 o'clock, P. M.

Present—Asaph S. Bemis, Esq , President of the Council; and Ald. Adams, Allen, Brush, Crowder, Dayton, Felton, Goembel, Grass, Hannovan, Howard, Mills, Palmer, Russell, Scheu, Storck, Swartz, Walsh, Wheeler and Yaw.

Absent—Ald. Beckwith, Dorr, Jones, Pratt, Rutter, and Savage.

The minutes of the meetings held August 12th, 1861, at 2 o'clock, P. M., and at a quarter of a minute past 7 o'clock, P. M., were approved.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

COMPTROLLER'S OFFICE,
Buffalo, Aug. 19, 1861.

To the Hon. the Common Council:

GENTLEMEN:—I herewith in compliance with the requirements of the Revised City Charter, "Section thirty-two, of Title five," and the by-laws and ordinances of said city, submit the annual statement of receipts and expenditures of the City for the year ending December 31st, 1860.

This statement is presented in schedules, marked from A to S inclusive, showing in detail the expenses of the several departments of the city government, each under its appropriate head, in which it has been my aim to embody all information necessary to understand the history of the fiscal year, the pecuniary resources and liabilities of the city and the condition of every general and all local funds from 1854 inclusive.

GENERAL FUND.

This fund created by tax levied annually upon all taxable property of the city, the income from markets, fees, interest on unpaid taxes, money on deposit, licenses, penalties, etc., is appropriated to defray the contingent expenses of the city.

Schedule A is a statement from the Treasurer's books, showing the amount received and payment made in and from that department on account of the General Fund, during the year ending December 31st, 1860, from which it will be seen that the balance in the Treasury on that day was $25,961 99.

Schedule B is a statement of the several amounts drawn against the General Fund of 1859, during the year 1860.

Schedule C is a statement showing the appriations for the several departments for the year 1860, and the expenditures and receipts thereof. And Schedule D is a statement of such expenditures in detail. In Schedule C credits are given as follows:

To Comptroller's Department, for office fees collected on returned taxes and assessments, and for interest on returned city taxes—$8,777 04.

To Treasurer's Department, for interest received from Banks of deposit—$5,870 30.

To Receiver of Taxes Department, for additions returned on General Tax 1859, and additions collected on General Tax of 1860—$5,356 05.

To Police Department, for fines collected at Police Station houses—$1,618 00.

To Market Department, for Market rents—$4,201 39.

As the great burden of which our tax-paying citizens have complained is *taxation*, it may not be deemed inappropriate to give here a brief table showing the total amount of appropriations, amount raised by direct tax, and amount expended in each year since 1854, that those interested may see at a glance that the financial affairs of the city are certainly not on the retrogade, as regarding taxation and expenditures:

Year.	Amount appropriated.	Amount raised by tax	Am't of expenditures.
1854	$322,155 00	$322,155 00	$279,585 03
1855.... ...	370,480 00	273,580 00	301,213 32
1856.....	420,413 00	310,900 00	317,478 56
1857...	442,650 00	297,825 00	345,834 47
1858.....	437,627 25	293,717 25	364,904 48
1859.....	296,009 00	239,419 90	304,793 33
1860.....	326,151 24	255,073 60	302,443 18
1861.....	263,151 98	208,901 98	

The expenses of the several departments of the city government have been largely decreased since the close of the year 1858, and I am of the opinion that each department is being economically managed; and notwithstanding the liberal, just, and patriotic appropriation for the defence of the Federal Union, the expenditures for the year 1861, inclusive of what may be expended for this laudable object, will not much exceed the appropriations for this year.

Schedule E is a statement of the School Library and General Fund Treasury warrants outstanding December 31st, 1860, amounting to $120,215 24.

Schedule F is a statement of interest paid on bonds and temporary loans during the year 1860, amounting to $49,608 43.

Schedule G is a statement of the principal paid on bonds and temporary loans during the year 1860, amounting to $86,872 59.

Schedule H is a statement of the liabilities and resources of the city, viz:

Liabilities	$657,215 24
Resources	131,464 36
Amount of liabilities over resources	$525,750 88

It is a gratifying reflection that our city is probably as free from debt as any city of proportionate size in the Union, and yet the thought is saddened at the fact, that were it not for the wild extravagant market policy heretofore inaugurated in the purchase of lands and the building of markets thereon, coupled with the aid extended by the city to the Brantford Rail Road, the entire indebtedness of the city would not exceed one half of the above named sum. The people voted the Brantford Road $150,000 and the city authorities only carried such expressed will by issuing the bonds, but the authorities then in power should have stopped without issuing bonds to the amount of $175,000 for markets that will not be needed by the present age.

Schedule I is a statement of the property belonging to the city with the Assessors Valuation, amounting to $685,155 00.

Schedule J shows the amount of local assessments levied during the year 1860 and the debit or credit balance of each assessment. Total amount levied $64,669 50.

These figures show a decided determination on the part of your Honorable Body to retrench in this class of expenditures. If it be sound doctrine that the wishes of a majority are to be granted when they ask for local improvements for which they, and those directly benefitted only are to be taxed—the question may well be asked, does not the present embarrassments of our citizens, resulting from the general prostration of business, the depreciation in the value of real estate and its unproductiveness, all combined, demand that the rule should so far be varied, that all such improvements should be ordered and made with the greatest care and scrutiny, and in cases only where the imperative necessities of the case demands the same and the wants of the people cannot be otherwise satisfied.

The amount of local assessments levied during the year 1854 was $142,020 01; in 1855 $180,128 44, inclusive of $11,281 07 levied under the old charter; in 1856, $251,912 72; 1857, $323,028 43; 1858, $125,590 96; 1859, $238,848 79; and in 1860, $64,669 50, as above stated; and it is supposed that the amount of such assessments for the year 1861 will fall far short of the last named sum; and I have no doubt that at the next annual tax sale the gross amount of taxes for which lands will be struck off to the city will be comparatively small as compared with any year since 1854, and will not probably exceed $40,000.

Schedule K shows the state of the several local funds, on account of work ordered between January 1st, 1854, and December 1st, 1859.

Schedule L shows the condition of balance account on the Comptroller's and Treasurer's books on the 30th day of June, 1861. This account consists of all the balances of the local rolls, about 2,200 in number, assessed prior to the year 1854, consolidated by order of the Common Council, in pursuance of section 38 of an act of the Legislature, passed April 17th, 1857, amendatory of the city charter. The credit balance on the books in this office is $76,485 24, while on the Treasurer's books it is only $4,682 15; and the reason for this discrepency obviously is the large amount of uncollected taxes on said roll, and the payment of the money into the treasury, while this office has given credit on the return of the rolls. This has been a work of much magnitude, requiring great care and labor, and was ordered by the Common Council on the recommendation of the undersigned shortly after he assumed the duties of this department. It will be found not only convenient but invaluable as a record in this and the Treasurer's office.

Schedule M shows the amount of local tax certificates held by the City, the amount due from Collectors, and the Real Estate, &c., taken on account of local taxes assessed prior to January, 1854, with the Assessors' valuation.

Schedule N shows the amount of local fund treasury warrants outstanding December 31st, 1860, amounting to $156,258 49.

Schedule O shows the amount of temporary bonds issued for local purposes, including those issued to pay the city bids at the annual tax sales.

Schedules P and Q show the condition of the tax loan and trust funds.

Schedules R and S contain the Assessors' valuation of taxable property in the several Wards of the city, and of the school property belonging to the several school districts.

Respectfully submitted,

ALONZO TANNER, Comptroller.

Ald. Howard moved that same be received and filed, and that the subject matter thereof be referred to the Committee on Finance. Carried.

FROM THE STREET COMMISSIONER.

BUFFALO, August 19th, 1861.

Gentlemen:—In accordance with your direction, the undersigned advertised for proposals for constructing a brick sewer in the center of Hickory street, from the sewer in the center of Clinton street to a point 100 feet southerly from William street, and have received the following, to wit:

From A. H. Giddings,	per lineal foot,	68	cents.
" Henry Harter, Jr,	"	"	69	"
" John Wannop,	"	"	79	"
" James Harraden,	"	"	70	"
" James McGlinn,	"	"	77½	"
" David Webster,	"	"	78	"
" Richard Hextal,	"	"	75	"
" David Walker,	"	"	81	"

L. J. WATERS,
Street Commissioner.

Referred to Committee on Sewers.

FURTHER FROM THE STREET COMMISSIONER.

BUFFALO, August 19th, 1861.

GENTLEMEN,—In compliance with your directions, the undersigned advertised 6 days for proposals to "make Downing street, by working the same from lots 264 and 265, to the Buffalo and White's Corners Plank Road, and have received the following, to wit:

From Joseph A. Bridge, for working the street as named in the specifications, per rod, $1 25.

L. J. WATERS, Street Commissioner.

Referred to the Committee on New Territory.

FROM THE CITY SURVEYOR.

BUFFALO, August 19th, 1861.

In compliance with your order of August 12th, I submit herewith a profile and grade of a sewer from the centre of Amherst street, through Tonawanda and Parish streets, to a point near the easterly curb line of Niagara street:

Commencing at the intersection of the centre line of Amherst street with the centre line of Tonawanda street, at an elevation of 10 feet above the base line of levels, thence southerly, falling 0.25 feet per 100 feet along said centre line of Tonawanda street, to the centre line of Parish street, a distance of 287 feet; thence southwesterly along the said centre line of Parish St,, falling 0.25 feet per 100 feet for a distance of 813 feet; thence continuing along said centre line of Parish street, falling 0.33 feet per 100 feet, to a point 25 feet west of the easterly line of Niagara street, at an elevation of 4.66 feet above the base line of levels, and connecting with the sewer already constructed from said point to the Erie Canal.

I can find no evidence of the existence of rock within the limits of the proposed sewer.

The total length is 1,884 feet.

The average depth of excavation is 10.50 feet.

PETER EMSLIE, City Surveyor.

Referred to the Committee on New Territory.

FURTHER FROM THE CITY SURVEYOR.

BUFFALO, August 19, 1861.

In compliance with your order of the 12th inst., I have taken the soundings in Buffalo Creek as directed, and submit herewith a map showing the depth of water from the Lighthouse to South street, at the ordinary low stage thereof. In consequence of the lateness of the season, in my opinion, but little dredging will actually require to be done this fall.

To remove the bar just north of the west end of the Lighthouse Pier, so as to give 13 feet of water will require about 4,000 cubic yards of dredging, which is all that I would recommend to be done outside of the North Pier. Inside of the North Pier and on the northerly side of the creek, from the foot of Washington street to the canal slip between Hanover and Floyd streets, a distance of 1,200 feet, and from 25 to 50 feet in width, will require the removal of about 4000 cubic yards also, to give 12 feet of water, and is all I would recommend to be done inside the North Pier this season.

Much dredging has been done by private individuals and companies the present season.

The New York Central Railroad Company having removed about 6,000 yards from their water front, and probably as much more has been dredged by individuals,

For more particular information as to the condition of the whole harbor, I refer you to the accompanying map.

PETER EMSLIE, City Surveyor.

Referred to the Committee on Wharves, Harbors and Ferries.

FROM THE FIRE MARSHAL, CITY CLERK AND AUDITOR.

The undersigned having been directed by a resolution of your honorable body to advertise for sealed proposals to furnish coal for the various city offices, and the Fire Department for one year, from the 1st day of September, 1861, beg leave to report:

That, pursuant to said resolution, your committee have advertised for and received proposals from various parties, both for soft and hard coal.

Your committee find that the contract made last year to furnish a supply of coal for the various departments, does not expire until the 27th day of next September; while by the resolution of your body, we were directed to contract for a supply for one year, from the 1st of September. You committee have received two bids for soft coal—of the same priceand being directed by the resolution to contract with the lowest bidder—we have thought best to refer the whole matter to the Council, and ask for further instructions.

D. KISSOCK, Fire Marshal,
O. F. FRESBERY, City Clerk.
J. W. A. MEYER, Auditor.

Received and placed on file.

Whereupon Ald. Yaw offered the following:

Resolved, That the City Clerk, Fire Marshal and Auditor be authorized, where the lowest bids which they have received for furnishing coal for the city for any quantity of coal, are, at the same figure, to award the contract for such coal to either of such lowest bidders as they shall deem for the interest of the city, and that the contract be from the expiration of the present contract, Sept. 27, 1861, instead of Sept. 1, 1861. Adopted.

Ayes—Ald. Adams, Allen, Bemis, Brush, Crowder, Dayton, Felton, Grass, Hannovan, Howard, Mills, Palmer, Russell, Scheu, Storck, Swartz, Wheeler, and Yaw.—18.

Noes—None.

The following was received—

BUFFALO, August 15, 1861.

To the Hon. Mayor and Common Council of the City of Buffalo:

GENTLEMEN—In behalf of the "St Louis Benevolent Society of St. Louis Church," I hereby tender you respectfully an invitation to participate to a grand Festival and Pic-Nic of the above Society, which will take place at Moffat's Grove, on Tuesday next, August 20th, 1861. Very Respectfully Yours,

MICHAEL LETTAU,
Pres't of St. Louis Ben. Soc'y.

Ald Hanovan moved that said communication be filed, and that the invitation therein contained be accepted. Carried.

PETITIONS.

Of John T. Tilley, for a declaration of sale on lot on the east side of Delaware street, part of outer lot uumber 21, lying on the south corner of Tupper street, being 20 feet front by 20 feet deep.

Of same, for same on lot on the northeast side of Fifth street, part of block No. 24, lying 202 feet North West of Georgia street, being 25 feet front by 100 feet deep.

Of same, for same on lot on the East side of Franklin street, part of inner lot No. 93, lying 109 72-100 feet north of Mohawk street, being 16 feet front by 100 feet deep.

Of same, for same on lot on the southwest side of Tenth street, part of block No. 61, lying 116½ feet south east of Hudson street, being 25 feet front by 100 feet deep.

Of same, for same, on lot on west side of Jefferson street, part of outer lot No. 126, lying on the north corner of Davis street, being 50 feet front by 140 feet deep.

Of Christian Dier, to have a tax sale cancelled.

Referred to Committee on Finance.

Of A. P. Yaw and others, to have pavement repaired in Morgan street, between Niagara and Court streets.

Referred to the Committee on Streets.

Of Sarah L. Marvin and others, for the construction of a sewer on Pine street, between Sycamore and Cypress streets.

Referred to the Committee on Sewers.

Of Thomas Pye, for permission to erect a boat house at the south west extremity of Erie street.

Of Wm. F. Miller, for permission to erect a wooden building on the east side of Morgan street, about 100 feet south of Niagara street.

Of Frederick Lange, for compensation for damages sustained at fire on Mortimer near William street. Referred to Committee on Fire.

Of James S. Wilds, for a license to sell fresh meat at corner of Vermont and Massachusetts streets. Referred to Committee on License.

Of Louis Hermann, for a Fireman's certificate.

Of Hugh Mooney for same. Referred to Fire Commissioners with power.

Petition of James S. Wadsworth and others to have sundry tax sales cancelled of record.

Ald. Howard offered the following resolution:

That on filing with the Comptroller the petition of Jas. S. Wadsworth, Philip Beyer, G. Voltz, and N. Ottenot, with proofs accompanying, and the execution on their part of a bond to the city with satisfactory sureties, the Comptroller be and he is hereby authorized to discharge of record two certain tax sales of lot on the east side of Main street, and on the corner of Chippewa street, being 94 feet front by 99 feet deep, as follows: One dated Aug. 14, 1843, to Wm. F. Miller for $28 57, and one dated Aug. 18, 1838 to J. Read for $13 76. Adopted.

Petition of John Duar and others to have Engine Co. No. 2 reinstated.

Ald. Hannovan moved that the prayer of said petition be granted.

Ald. Yaw moved that the same be referred to the Committee on Fire. Lost.

Ayes—Ald. Adams, Allen, Bemis, Brush, Howard, Palmer, Russell. Storck, Swartz, Yaw—10.

Noes—Ald. Crowder, Dayton, Felton, Goembel, Grass, Hannovan, Mills, Scheu, Walsh, Wheeler—10.

Ald. Yaw moved to lay said petition on the table for one week, to be taken up under order of reports from the Committee on Fire. Carried.

Ayes—Ald. Adams, Allen, Bemis, Brush, Crowder, Howard, Mills, Palmer, Russell, Storck, Swartz, Wheeler and Yaw—13.

Noes—Ald. Dayton, Felton, Goembel, Grass, Hannovan, Scheu and Walsh.—7.

Petition of Warren Lampman and others for the release of John Hayes from confinement in the Erie County Penitentiary.

Ald. Dayton moved that the prayer of the said petition be granted. Carried.

Ayes — Ald. Adams, Allen, Bemis, Brush, Crowder, Dayton, Felton, Goembel, Grass, Hanovan, Howard, Mills, Palmer, Russell, Scheu, Storck, Swartz, Walsh and Wheeler—19.

Noes—None.

Petition of R. B. Heacock and others for the release of George Wood from confinement in the Erie county Penitentiary.

Ald. Palmer moved that the prayer of the petition be granted. Carried.

Ayes—Ald. Adams, Allen, Bemis, Brush, Crowder, Dayton, Felton, Goembel, Grass, Hannovan, Howard, Mills, Palmer, Russell, Storck, Swartz, Walsh, Wheeler and Yaw—19.

Noes—None.

Petition of Capt. Plogstead for the release of Jacob Smith from confinement in the Erie Co. Penitentiary.

Ald. Adams moved that the prayer of the petition be granted. Carried.

Ayes—Ald. Adams, Allen, Bemis, Brush, Crowder, Dayton, Felton, Goembel, Grass, Hannovan, Howard, Mills, Palmer, Russell, Scheu, Storck, Swartz, Wheeler and Yaw—19.

Noes—None.

Petition of John G. Hoffer and others, for permission to continue to use as a slaughter house the premises near the corner of Ellicott and Genesee streets, and for the remission of a fine impcsed for using said place for a slaughter house.

Ald. Scheu moved that the prayer of the petition be granted.

Ald. Palmer moved to refer said petition to the Committee on Markets.

Ald. Scheu moved to refer the same to the Committee on Sanitary Measures. Lost.

Ayes—Ald. Dayton, Felton, Goembel, Grass, Hannovan, Russell, Scheu and Walsh—8.

Noes—Ald. Bemis, Brush, Crowder, Howard, Mills, Palmer, Storck, Swartz and Yaw—9.

Ald. Goembel moved as an amendment that said petition be referred to the Committee on Police.

Ald. Felton moved that so much of said petition as relates to fine be referred to Committee on Police, and the balance of said petition to the Committee on Markets. Carried.

REMONSTRANCES.

Of Lorenz Gilleg and others, against dispensing with Engine Co. No. 3.

Of John Hafner and others, against moving a frame building from Michigan to Elm streets. Referred to the Committee on Fire.

Of N. K. Hopkins and others, against the acceptance of the well at the corner of Michigan and Carlton streets from the contractor. Referred to the Committee on Water.

ACCOUNTS REFERRED.

N. H. Barnes, for labor and materials on School House No. 8. Referred to the Committee on Schools.

George Miller, for repairing sewer and receiver on the northeast corner of Prime and Commercial street.

Same, for repairing sewer in Carroll street, about 586 feet east of Washington street. Referred to Committee on Sewers.

F. B. Scott, for painting for Fire Department. Referred to Committee on Fire

Geo. B. Mitchell, for commitments to the Penitentiary. Referred to Committee on Police.

Michael Danner, Sr., for burners, etc., for Chippewa Market. Referred to Committee on Markets.

W. I. Williams, for repairing bridge over the ravine on Clinton street, 200 feet west of the B. & N. Y. C. R. R.

Wm. Farmer, Jr., for repairing bridge across Scajaquada Creek on Delaware street. Referred to Committee on New Territory.

REPORTS OF COMMITTEES.

Ald. Howard, from the Committee on Finance reported in favor of the adoption of the following resolutions:

That the Comptroller, on filing with him the petition of H. C. Monning, and the proofs accompanying the same, be, and he is hereby authorized to discharge or cancel of record, the following described tax sales; viz:

Sale of Dec. 23, 1840, and sale of January 31, 1842, from the following described lot: 26 by 100 feet, on the North side of Eagle street, beginning 84 feet east of Michigan street, upon the execution and delivery to the city by said petitioner, of a bond with sureties satisfactory to the Comptroller, conditioned to indemnify the city against all loss, damage, costs or claim therefor, by reason of releasing said lot from said tax sales. Adopted.

That upon the filing with the Comptroller the petition of A. J. Rich, with the proofs accompanying the same, the Comptroller be, and he is hereby authorized to discharge or cancel of record, the following described tax sales; to wit: Sale of Aug. 22, 1855, for $1 64, of lot on the west side of Delaware street, 308½ feet south of Allen street, being 50 feet front.

Sale of Nov. 8, 1855, for $2 33, of same lot, upon the execution and delivery to the city by said petitioner, of a bond with sureties satisfactory to said Comptroller, conditioned to indemnify the city against all loss, damage, costs or claim therefor, by reason of discharging of record such certificates. Adopted.

That an order for $57 28 be drawn on the local fund, balance account, in favor of the Comptroller, with which to pay parts Nos. 2 and 3 of local order No. 3,625, part No. 2 being for $18, and part No. 3 being for $20 00, each dated October 10, 1853, drawn on fund for sewer on south side of Terrace, from centre of Genesee street to 300 feet north therefrom, and that said Comptroller deliver the said order for $57 28 upon the return and delivery to him of the orders, (being parts of No 3,625,) above described. Adopted.

That an order for $16 77 be drawn on the local fund, balance account, in favor of the Comptroller, with which to pay the following described local fund orders, together with interest on the same to August 22d, 1861, viz: No. 3,226, for $1 00, dated September 4th, 1849, on fund "for grading Folsom street from Kinney to Pollard street;" No. 1,834 for $2 00, dated July 5th, 1849, on fund for "sewer on Folsom street, to summit east of Michigan street;" No. 1,388, for $2 25, dated July 20th, 1852, on fund for "well corner of Oak and Batavia streets;" No. 2,201, for $1 37, dated September 7th, 1852, on fund last above named; No. 2,497, for $1 50, dated October 19th, 1852, on fund for "well corner of Church and Franklin streets," and No. 4,562, for $2 00, December 12th, 1853, on fund last above named, and that said Comptroller be authorized to deliver the said order for $16 77 upon the return and delivery to him of the several orders above described. Adopted.

That the petition of Emily White, asking for a declaration of sale on certificate of tax sale No. 2,589 of the sale of June 23d, 1858, be and the same is hereby denied, and that said White have leave to withdraw her petition. Adopted.

That the petition of John H. Montgomery, asking to have a portion of the personal tax of 1861 assessed to him cancelled, be, and the same is hereby denied. Adopted.

Ald. Wheeler, from the Committee on Schools, reported in favor of allowing the following account, and of drawing orders for the same:

Wesley Emmons, for work and materials at sundry schools—$111 57. Adopted.

Ald. Palmer, from the Committee on Streets, reported in favor of the adoption of the following resolution:

That, when an assessment shall be confirmed to defray expenses, the Street Commissioner be, and is hereby authorized and directed to contract with Isaac Holloway, for grading and paving Huron street, from the curbing on the westerly side of Morgan street to the New York Reservation line, in accordance with the specifications for doing the work, at a sum not exceeding his proposals for doing the same, or an aggregate of $1151 06. Adopted.

Also in favor of directing the City Assessors to make assessments as follows:

Assess $1151 06 for grading and paving Huron street, from the curb line on the westerly side of Morgan street to the New York State Reservation Line. Adopted.

Assess $6 92 for repairing the wood culvert across Allen street, on the easterly side of Delaware street. Adopted.

Also in favor of allowing the following accounts and of drawing orders for the same:

W. I. Williams, for repairing wood culvert across Edward street, on the southerly side of Virginia street—$8.

Same, for repairing wood culvert across Eleventh street, on the south-easterly side of Vermont street—$7 68.

Same, for repairing wood culvert across Twelfth street, on the south-easterly side of Vermont street—$7 90.

Lauren Williams, for repairing wood culvert across Genesee street, on the westerly side of Johnson street continued—$11 89.

A. D. Morton, for repairing wood culvert across William street, between Lockwood and Emslie streets—$5.

Henry Harter, Jr., for repairing Hudson street, between Fifth and Sixth streets—$1 50

O. Butler, for repairing the alley between Eagle and Niagara streets—$4 75.

A. D. Morton, for repairing Emslie street, between Clinton and Peckham streets—$1 88. Adopted.

Also in favor of the adoption of the following resolutions—

That it is hereby ordered that the carriageway in Delaware street be gravelled, and the gutters be opened on both sides of said carriageway from Virginia street to North street and a point 200 feet north from North street to Utica street. Adopted.

Ayes—Ald Adams, Allen, Bemis, Brush, Crowder, Dayton, Grass, Hannovan, Howard, Mills, Palmer, Russell, Scheu, Storck, Swartz, Walsh, Wheeler, and Yaw.—18.

Noes—None.

That, when an assessment shall be confirmed to defray the expense, the Street Commissioner is hereby authorized and directed to contract with Isaac Holloway for gravelling the carriageway in Delaware street, and open-

ing the gutters on both sides of said carriageway, from Virginia street to North street, and from a point 200 feet north from North street to Utica street, in accordance with the specifications for doing said work, at a sum not exceeding $2,033 60, said Holloway being the lowest bidder. Adopted.

Also, in favor of directing the City Assessors to make an assessment as follows:

Assess $2033 60-100 for gravelling the carriageway on Delaware street, and opening the gutters on both sides of said carriageway from Virginia to North street, and from a point 200 feet north from North street to Utica street. Adopted.

Also in favor of the adoption of the following resolutions:

That the grade of Huron street, from Delaware to Niagara street, be and the same is hereby established as follows, to wit: Commencing at the intersection of the the center line of Huron street with the west line of Delaware street, at an elevation of 30.40 feet above the base line of levels; thence westerly along said center line of Huron street, falling 0.67 per 100 feet for a distance of 360 feet to the east curb line of Morgan street; thence level for a distance of 42 feet to the west curb line of Morgan street; thence falling 1.27 feet per 100 feet for a distance of 197 feet to the east curb line of Ninth street; thence level for a distance of 54 feet to the west curb line of Ninth street; thence falling 0.85 feet per 100 feet for a distance of 441 feet to the easterly line of Niagara street, at an elevation of 22.75 feet above the base line of levels, and that all resolutions heretofore passed establishing the grade of said Huron street, between the above named points, be and the same are hereby rescinded. Adopted.

Ayes—Ald. Adams, Allen, Bemis, Brush, Crowder, Dayton, Grass, Hanovan, Howard, Miles, Palmer, Russell, Schen, Storck, Swartz, Walsh, Wheeler and Yaw—18.

Noes—0.

That the Common Council of the city of Buffalo intend to take and appropriate the land and property necessary to lay out and open a public street sixty-six (66) feet wide from Virginia street to High street, said street to be called Peach street; and the westerly line thereof to be seven hundred and fifty (750) feet easterly from the easterly line of Locust street and parallel thereto, (measuring on the northerly line of Virginia street,) and the easterly line of said street to run parallel with the said westerly line and 66 feet easterly therefrom. And that the City Clerk cause a notice of such intention to be published in twenty successive numbers of the city paper. Adopted.

Also in favor of allowing the following accounts and drawing orders for the same:

John Erb, for cleaning paved streets, &c, in July, 1861, $7 50.

George Fisher, for same—$6 88.

Philip Shan, for same—$9 00.

John Fisher, for same—$7 31.

George Miller, for repairing the northerly side of Clinton street, between the bridge west of the New York Central Railroad and Bond street—$9 94. Adopted.

Also in favor of directing the City Assessors to make an assessment as follows:

Assess $47 87 for repairing Clinton street, between the New York Central Railroad and the Buffalo, New York and Erie Railroad. Adopted.

Ald. Brush, from the Committee on Sewers, reported in favor of allowing the following accounts and of drawing orders for the same:

Churchyard & Bensinger, for constructing a sewer in Emslie, Seneca, and Van Rensselaer streets, from the water course between North Canal and Seneca streets to the Main and Hamburg street canal, being a balance on contract—$167 20.

George Miller, for repairing the sewer and receiver at the southwest corner of Clinton and Hickory streets—$6 08

Frederick Scheifer, for cover to a man hole over sewer in Michigan street—$1 50. Adopted.

Ald. Palmer was called to the chair.

Ald. Swartz, from the Committee on Side and Crosswalks, reported in favor of the adoption of the following resolution:

That the owners of land on the westerly side of Main street, between a point 147½ feet northerly from Mohawk street and a point 172 feet northerly from Mohawk street, in front of premises known as Nos. 396 and 398 Main st., cause a sidewalk to be repaired in front of their respective lots by levelling the same and substituting new hard burnt brick where necessary, within ten days; and if not done within that time, that the Street Commissioners cause the same to be done, at an expense not exceeding twenty-five dollars, and report. Adopted.

Also in favor of directing the City Assessors to make assessments as follows:

Assess $35 82 for constructing a plank sidewalk on the westerly side of Sixth street, between the southerly curb line of Fort street and a point 1,000 feet southerly therefrom. Adopted.

Assess $25 92 for constructing a plank sidewalk on the northeast side of Fourteenth street, between Vermont and Rhode Island streets.

Ald. Howard moved to refer such resolution to the Committee on New Territory. Carried.

Assess $9 97 for repairing the sidewalk on the northerly side of Ohio street, between Indiana and Illinois streets. Adopted.

Assess $95 06 for constructing a stone crosswalk across Franklin street, on the southerly side of Court street. Adopted.

Ald. Yaw, from the Committee on Fire, reported in favor of allowing the following accounts and of drawing orders for the same:

S. Bettinger, for rent of barn for Fire Department, charged at $16 allowed at $15 59.

Isaac Holloway, for repairing sidewalk in front of engine house on Huron street between Oak and Elm street, charged at $18 35 allowed at $18 10.

W. I. Williams, for repairing house of steamer Seneca, charged at 47 27 allowed at $46 88.

Bangasser & Bro., for sundry repairs, $86 90.

Philip Keep, for labor, $6 00. Adopted.

Also reported in favor of the adoption of the following resolutions:

That an order for $25 be drawn on the General Fund, 1861, Fire Department, in favor of E. G. Mathews, for balance due on contract for furnishing 300 feet of linen hose for Fire Department. Adopted.

That the Fire Marshal be, and he is hereby directed to notify the owners or the occupants of the Furnace, on the

north side of Carroll street, a short distance east of Chicago street, to raise the chimney of such furnace to a sufficient height, so that buildings in the neighborhood shall not be endangered, and if not done in accordance with, and within the time prescribed by Section 4, of Chapter 2, of the City Ordinance, that the City Attorney be, and is hereby directed to prosecute such owners for such violation. Adopted.

Also reported that they had directed the Fire Marshal to contract with Thos. B. French and Richard Exelby to each furnish a hose cart in accordance with the plan submitted by said Thos. B. French, such carts to be completed and delivered to the Fire Marshal within four weeks from the date of such contract; and also to contract with Thos. B. French to build and deliver within six weeks from the date of said contract a third cart upon the same plan as the first two—such carts to be furnished to the city not exceeding $124 00 each.

Filed, and action approved.

That the fire Marshal be and he is hereby authorized to purchase 200 feet of the best rubber (2½ inch) hose, at a cost not to exceed $1 00 per foot including couplings. Adopted.

Ald. Dayton, from the Committee on Claims, reported in favor of allowing the following accounts, and of drawing orders for same:

Geo. Argus, for horse hire for Assessors—$9 75.

Peter Rohe, for services as Inspector of Election, at the special election 12th Ward—$4 50.

Harriet Atwood, for cleaning city offices—$7 94

H. C. Oliver, for ice tongs for City Hall—$0 75. Adopted.

Ald. Mills, from the Committee on Police, reported in favor of the adoption of the following resolution:

That the expense incurred by the Chief of Police in fitting up and renovating his office, is sanctioned by this Council. Adopted.

Also in favor of allowing the following accounts, and of drawing orders for the same:

Eli Fontain, for commitments to the Penitentiary—$16 50.

Adam Jones, for same—$17 63.

John O. Hopkins, for same—$15 38. Adopted.

Ald. Storck, from the Committee on Markets, reported in favor of the adoption of the following:

That the holders of stands around the west side of Elk street Market be, and they are hereby permitted to occupy, for the sale of their goods, a space 12 feet in length, by 8 feet wide, and commencing 2 feet inside of the curbstone, extending thence 10 feet into the street, including one course of flagging 8 feet wide, and the erection of any stand or shed on said space, shall be under the direction, and with the permission of the Committee on Markets, and the Clerk of the Markets, such permission being granted subject to the further order of the Council.

Ald. Yaw moved to lay such report upon the table for one week, to be taken up under order of Reports from Committee on Markets. Carried.

Ayes—Alds. Allen, Bemis, Brush, Crowder, Howard, Mills, Palmer, Wheeler, and Yaw—9.

Noes—Alds. Dayton, Hanovan, Storck, Swartz, and Walsh—5.

Also in favor of allowing the following accounts, and of drawing orders for the same:

Buffalo Gas Light Company, for gas for public lamps, for July, 1861—$2035 38.

J. G. Turner, for lighting, &c., public lamps for July, 1861—$385 92.

J. G. Turner, for laying and furnishing gas pipes through Bennett's Elevator, for pulic lamps on the dock—$4. Adopted.

The President resumed the chair.

Ald. Crowder, from the Committee on New Territory, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause the bridge over the ravine on Clinton street, about 200 feet westerly from B. & N. Y. Central R. R., to be repaired, at an expense not exceeding $50 00, and report. Adopted.

That the Street Commissioner cause Clinton street to be repaired at both ends of the bridge over the revine on Clinton street, about 200 feet westerly from the B. & N. Y. Central R. R., at an expense not exceeding $29 00, and rereport. Adopted.

That the culvert across the old roadway of Niagara street, between Sloan street and Clinton Avenue, be lengthened so as to extend across Niagara street, at an expense not to exceed $79 00. Adopted.

That the culvert across the old roadway of Niagara street, at Brace street, be lengthened so as to extend across the entire street, at an expense not exceeding $39 00. Adopted.

That the action of the Committee on New Territory and Street Commissioner in causing the culvert across Niagara street at Brace street, also between Sloan street and Clinton Avenue, to be lengthened during the progress of grading and paving Niagara street, at the above named points, is hereby approved and ratified. Adopted.

That the Street Commissioner cause the wood culvert across William street, about 40 rods west of the B. & N. Y. & E. R. R. track, to be repaired, at an expense not exceeding $10 00, and report. Adopted.

That the Street Commissioner cause a wood culvert to be constructed across Amherst street, about 100 feet easterly from Delaware street, at an expense not exceeding $6, and report. Adopted.

That the Street Commissioner cause the wood and stone culvert across Fourteenth street, between Massachusetts and Hampshire streets, to be repaired, at an expense not exceeding $8 00, and report. Adopted.

Also in favor of allowing the following accounts and of drawing orders for the same:

Henry Harter, jr., for repairing the easterly side of Niagara street from the southerly end of the bridge across Scajaquada Creek to a point 100 feet southerly therefrom—$196 66.

John Campbell, for making Fifth street from Connecticut street to Vermont street—$64 05.

Adam M. Diehl, for constructing bridge across Scajaquada Creek on Puffer street, balance on contract—$350. Adopted.

Also in favor of the adoption of the following resolutions:

That permission be granted to George Klepser, to place scales for weighing hay, on the northwest corner of Hamilton and East streets, under the direction of the Street Commissioner, and subject to the further order of this Council. Adopted.

That the Street Commissioner cause a wood culvert across Austin street, on the easterly side of Niagara street, to be constructed at an expense not exceeding $15, and report. Adopted.

Ald. Yaw, from the Special Committee on the celebration of the Fourth of July, reported in favor of allowin the following accounts, and of drawing orders for the same.

Elias Smith, for expenses for Gun Squad—$10 00.

Adam Sneidwin, for expenses for Gun Squad—$10 00 — Adopted.

Ald. Howard, from the Special Committee on Prospect Hill Parks, reported in favor of allowing the following account and of drawing an order for the same:—

Samuel Green, for services as keeper of Prospect Hill Parks for July, 1861, $27 00. Adopted.

Also in favor of the adoption of the following resolutions:—

That the Street Commissioner and Special Committee on Prospect Hill Parks, be and they are hereby instructed to prepare and report to this Council rules and regulations for the protection of the shrubbery, trees and grass in the Prospect Hill Parks, and rules for opening and closing the said Parks to the public. Adopted.

That the Street Commissioner and Special Committee on Prospect Hill Parks be and they are hereby authorized to procure for said Parks, 12 seats to be erected in each of such Parks, on either side of Niagara street; that they prepare plans and specifications therefor and cause notice for furnishing such seats to be published for five days in the city paper, and that they award the contract to the lowest bidder therefor. Adopted.

That said Committee and Street Commissioner be and they are hereby authorized to take such measures as they shall deem best for the interest of the city for the cutting and trimming, and the keeping cut and trimmed, the grass and shrubs in said Parks by the keeper thereof, or other person, such as they shall choose without charge to the city. Adopted.

By Ald. Howard—The Special Committee to whom was referred the subject matter of dividing, or subdividing the various wards in this city, into election districts, beg leave to state that they have had the subject under careful consideration, and submit herewith the following, as their report, and ask that the same be printed and postponed until next regular meeting of the Council, and taken up at such meeting, under order of reports from Special Committees.

FIRST WARD.

1st. District—All that portion lying westerly of the centre of Michigan street, and the westerly or northerly line of Pratt Slip; thence following in same direction from its termination to Lake Erie, shall comprise said District.

2nd District—All that portion of said ward lying easterly of Michigan street and Pratt Slip, and westerly of Louisiana street, shall comprise said Second District.

3d District—All that portion of said ward, lying easterly of Louisiana street, shall comprise the said Third District.

SECOND WARD.

1st District—All that portion of said ward, lying southerly of Swan and westerly of Michigan street, shall comprise the First District.

2d District—All that portion of said ward, lying northerly of Swan street, and westerly of Michigan street, shall comprise the Second District.

3d District—All that portion of said ward lying easterly of Michigan street, shall constitute the third district of said ward.

THIRD WARD

1st District—All that part of said ward lying westerly of Jefferson street shall comprise the first district.

2d District—All that part of said ward lying easterly of Jefferson street shall comprise the second distict.

FOURTH WARD.

1st District—All that part of said ward southerly of Mohawk street, westerly of Ellicott street, and southerly of Batavia street, shall comprise the first district.

2d District—All that part of said ward lying northerly of Mohawk street, easterly of Ellicott street, northerly of Batavia street, and southerly of Chippewa and Genesee streets shall comprise the second district.

3d District—All that part of said ward northerly of Chippewa and Genessee streets, shall comprise the third district.

FIFTH WARD.

1st District—All that part of said Ward lying westerly from Monroe street, and southerly of William street, shall comprise the First District.

2d District—All that part of said Ward lying westerly of Monroe street, and northerly of William street, shall comprise the Second District.

3d District—All that part of said Ward lying easterly of Monroe street, shall constitute the Third District.

SIXTH WARD.

1st District—All that part of said Ward lying southerly of Sycamore and westerly of Jefferson streets, shall comprise the First District.

2d District—All that part of said Ward lying northerly of Sycamore and westerly of Jefferson streets, shall comprise the Second District.

3d District—All that part of said Ward lying easterly of Jefferson street, shall comprise the Third District.

SEVENTH WARD

1st District—All that part of said Ward southerly of Best street and westerly of Michigan street, shall comprise the First District.

2d District—All that part of said Ward lying southerly of Best street and easterly of Michigan street, shall comprise the Second District.

3d District—All that part of said Ward lying northerly of Best street, shall comprise the Third District.

EIGHTH WARD.

1st District—All that part of said Ward lying southerly or easterly of Genesee street, shall comprise the First District.

2d District—All that part of said Ward lying northerly or westerly of Genesee street, shall comprise the Second District.

NINTH WARD.

1st District—All that part of said Ward lying southerly of Court street and easterly of Delaware street, shall comprise the First Disfrict.

2d District—All that part of said Ward lying northerly of Court street and westerly of Delaware street and southerly of Huron street to Ninth street, shall comprise the Second District.

TENTH WARD.

1st District—All that part of said Ward lying westerly of Delaware street, and northerly or westerly of Virginia street, shall comprise the first district.

2d District—All that part of said Ward lying easterly of Delaware and southerly of Virginia street, shall comprise the second district.

ELEVENTH WARD.

1st District—All that part of the said Ward, lying easterly of the State Reservation Line, shall constitute the first district.

2d District—All that part of the said Ward, lying westerly of the State Reservation Line, shall constitute the second district.

TWELFTH WARD.

1st District—To be constituted same as last year.

2d District—To be constituted same as last year.

THIRTEENTH WARD.

To remain one district, same as last.

Ald. Howard moved that said report be printed, and consideration thereof postponed until the next meeting of the Council, to be taken up under order of Reports from the Committee on Finance. Carried.

Ald. Howard moved that the Council do now resolve itself into the Committee of the Whole on the subject of revising the City Ordinances. Carried.

Ald, Howard was called to the Chair.

The Committee of the Whole rose and their Chairman, Ald. Howard, reported that they had had the subject of revising the City Ordinances under consideration, had gone through with the chapter entitled "Of Water and Water Works in the Parish Tract, so called in the 12th Ward," and reported same back and recommended that same be adopted as reported from the Committee of the Whole, to be known as Chapter 27.

Also reported back the chapter in relation to Street Rail Roads, and recommended that the same be referred to Committee on Streets.

The said report was received, and Chapter 27, entitled "Of Water and Water Works in the Parish Tract, so called in the 12th Ward," was adopted; and chapter in relation to Street Rail Roads, was referred to the Committee on Streets, as recommended.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Allen—That the Fire Marshal be and hereby is instructed to advertise 5 days in the city papers, for proposals to make three hose cart harnesses, like the one now used for the Seneca Hose Cart, and report.

By Ald. Howard—That the City Clerk advertise for for sealed proposals for making such a number of Ballot Boxes, in addition to those already on hand, as may be necessary for the purposes of the next election, and that he contract with the lowest bidder, except in case there should be two or more bids at the same price, in which case he is hereby authorized to give the contract to such party as he shall deem best for the interests of the city. Adopted.

By Ald. Wheeler—That the Common Council of the city of Buffalo hereby declare that they will not pay to exceed $7 50 for a suitable room in each of the election districts in this city, for the use of the Board of Registration and the holding of the polls in the city at the next election Adopted.

By Ald. Dayton—That the Common Council of the city of Buffalo intend to order brick sewer constructed in the center of Hamilton street, from the easterly curb line of Niagara street to the Erie Canal, eighteen inches in diameter in the clear, with walls eight inches thick, laid in good water-lime cement—and that the necessary notice be published—and that the Street Commissioner is hereby directed to advertise six days in the city paper, for proposals for doing the same, and report such proposals to this Council. Adopted.

Ald. Howard then moved that the subject matter of the proposed sewer named in the foregoing resolution, be referred to the Committee on New Territory. Carried.

By Ald. Howard—

Resolved, That the City Clerk in pursuance of sections 10 and 11 of chapter 1 of the ordinance "of the Board of Health," shall not grant any person other than lot owners and those having family dead buried therein on the first day of January, 1854, any permit to bury any dead in the burial ground, bounded by North, Rogers, Jersey and 14th streets, and all burials in such burial ground except by such persons, be and they are hereby prohibited. Referred to the Committee on New Territory.

Ald. Storck moved that when this Council adjourns it adjourn to meet on the first Monday of September next.—Lost.

Ald. Dayton moved that the vote referring the foregoing resolution, offered by Ald. Howard, to the Committee on New Territory, be reconsidered. Carried.

On motion of Ald. Dayton the said resolution was then adopted.

By Ald. Howard—That the Common Council hereby determine and fix the territory pursuant to section 34 of title 12 of the city charter of the district upon which from time to time shall be assessed ¾ of the expense of maintaining, improving, embellishing and protecting the public grounds and each of them, in the 12th Ward, known as Porter's Square and also Market Square, lying between Niagara and Dearborn streets, and both sides of Amherst streets, under and in pursuance of the provisions of the section aforesaid, and that such district shall be that territory known as the Parish Mile Square or Tract, so-called. Adopted.

Ald. Allen moved to adjourn. Lost.

By Ald. Storck, That, whenever any member of this Council shall not answer to his name when the roll is called, or shall leave the Council without being excused, according to the rules, before the adjournment thereof, his name shall not appear on the list of the clerk, or be published in the official papers as having been "present."

Ald. Allen moved that said resolution be laid on the table. Lost.

Ayes—Ald. Allen, Swartz and Walsh—3.

Noes—Ald. Bemis, Brush, Crowder, Dayton, Hannovan, Howard, Palmer, Storck, Wheeler and Yaw—10.

Ald. Allen then moved that the same be referred to the Committee on Finance. Lost.

Ald Hannovan moved to refer the same to the Committee on Wharves, Harbors and Ferries. Lost.

Ald. Allen moved to adjourn. Lost.

The said resolution offered by Ald. Storck was then adopted.

Ayes—Ald. Bemis, Brush, Crowder, Dayton, Howard, Palmer, Storck, Swartz, Walsh, Wheeler and Yaw—11.

Noes—Ald. Allen and Hannovan—2.

Ald. Mills moved that when this Council adjourn it adjourn to meet two weeks from to-day. Carried.

Ald. Dayton moved to adjourn. Lost.

By Ald. Howard, That the Comptroller be and he is hereby directed not to sell or assign any tax scrips belonging to this city, unless upon payment of the amount thereof, and the full legal interest thereon, unless the same be made on the written request of the lot owners, until the further order of this Council.

Ald. Allen mowed to refer said resolution to the Committee on Finance. Lost.

And the said resolution was then adopted.

Ald. Allen moved to adjourn. Carried.

Resolutions were offered and referred to Committees as follows:

That the Comptroller be directed to cancel two orders in favor of Jno. Wannop. Referred to Committee on Finance.

That Fourth street be repaired between Court and Carolina streets.

That the wood culvert across Eleventh street, on the southerly side of Maryland street, be repaired.

That Gray street, between Genesee and Batavia streets, be repaired.

That the wood culvert across Jersey street, on the northeast side of Eleventh streets, be repaired.

That the Best street be repaired, between Main and Michigan streets.

That Washington street be repaired, between Seneca and Swan streets.

That the wood culvert across Cherry streets on the east side of Spring street, be repaired. Referred to Committee on Streets.

That the crosswalk across Mackinaw street, on the east side of Chicago street, be repaired.

That the plank crosswalk across Miami street, on the easterly side of Chicago street, be repaired.

That the crosswalk across Gay street, on the east side of Michigan street, be repaired.

That a sidewalk on the east side of Michigan street, between William and Gay street, be repaired.

That a sidewalk on the easterly side of Washington street, between Carlton and Virginia street, be repaired.

That a sidewalk on the easterly side of Washington street, between Burton Alley and Virginia street, be repaired.

That a stone platform be constructed on the south corner of Ellicott and Huron streets, across the gutter on Huron street.

That a sidewalk be repaired on the south side of Fulton street, between Chicago street and Ohio Basin Slip.

That a sidewalk be repaired on the east side of Chicago street, between Ohio street and Buffalo Creek. Referred to the Committee on Side and Cross Walks.

The Common Council adjourned to meet Monday afternoon, September 2d, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 31.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Sept. 2, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council, and Ald. Adams, Allen, Brush, Crowder, Felton, Goembel, Howard, Jones, Rutter, Storck, Schwartz and Yaw.

Absent—Ald. Beckwith, Dayton, Dorr, Grass, Hanovan, Mills, Palmer, Pratt, Russell, Savage, Scheu, Walsh, and Wheeler.

The hour of half past 2 o'clock P. M., having arrived, and no quorum being present, the Common Council, by its rules, stood adjourned, to meet next Monday afternoon, September 9th, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

IN COMMON COUNCIL,
Buffalo, Monday, Sept. 9, 1861,
at 2½ o'clock, P. M.

Present—Asaph S. Bemis, Esq , President of the Council; and Ald. Adams, Allen, Brush, Crowder, Dayton, Felton, Goembel, Grass, Hannovan, Howard, Mills, Palmer, Rutter, Scheu, Storck, Swartz, Wheeler, and Yaw.

Absent—Ald. Beckwith, Dorr, Jones, Pratt, Russell, Savage, and Walsh

The minutes of the last meeting were approved.

COMMUNICATIONS FROM THE MAYOR.

MAYOR'S OFFICE,
Buffalo, August 26th, 1861.

To the Hon. the Common Council:

GENTLEMEN: I return without approval six resolutions, adopted on the 12th instant, directing as many orders to be drawn in favor of the Comptroller for the purpose of purchasing or redeeming certificates of tax sales bought by Walter Carey, Esq. Four orders are directed to be drawn on the General Fund of 1860, and two upon a School District Fund.

The city holds certificates of tax sales made prior to those proposed to be purchased, and as notices to redeem has been served upon the Comptroller, the amounts must be paid or the city's interest therein lost.

I heartily approve of some action of this character being taken, but I have disapproved of the resolutions because, in my opinion, your Honorable Body proposes a misapplication of funds. The ballances of 1860, supposed to remain in the treasury after discharging all contingent liabilities of the year, have been transferred to and become a part of the revenues of 1861—there is no doubt but that the amount so appropriated is larger than the actual ballance in hand, and these orders would increase the deficit. This procedure would be improper and vitiate much of the efforts made by your Honorable Body to establish such a financial system as dictated by the charter.

No measures should be proposed that would occasion complications or permit any fund to be unable to discharge the obligations properly chargeable upon it. It is proposed to draw two orders upon a school district fund. There is neither authority or precedent to warrant such an application of local funds, raised for an entirely different purpose.

Another important objection exists, that no system has been devised or determined upon for collecting taxes under which declarations of sales have been obtained, and the result has been that taxes have been permitted to accumulate until they nearly reach the value of the lands, and the city sustaining much loss. These tax sales date back to ——, and no effort has been made to compel their payment. This statement in itself is sufficient to demonstrate the urgent necessity existing for the organization of measures to promptly collect unpaid taxes of this character.

Much embarrassment has existed the present year for want of a contingent fund to pay claims of this character and many others which have and will arise. The necessity of such a fund is greater now than at any time since 1854. Your Hon. Body having determined among other important and proper financial reforms, that each year should have its financial records and the accounts thereof be closed at the expiration of the succeeding yea Under former management large ballances had remained in each year from which was paid claims that might arise. For the present emergency there can be no impropriety in borrowing from the general fund of 1853 the necessary amount, to be reimbursed to said fund when collected.

I also return, without my approval, a resolution directing the Treasurer to pay to F. G. Pattison interest on general fund order of ———.

Your Hon. Body determined that the interest on general fund orders from 1854 to 1859, should cease on the 1st day of January, 1861, and directed the Treasurer to give public notice of your action. Mr. Pattison was then a city officer and should have known what the proceedings of the Common Council were, and should then have obtained payment on his order. I approved of the action of the Council in this respect, and can see no reason why it should be revoked.

Summons was served upon me to appear before Charles Gardner, Esq., Justice of the Peace, on the 26th instant, to answer to the demand of Geo. Hinson, The City Attorney in the absence of direction from your Hon. Body appeared on behalf of the city and obtained an adjournment. Respectfully,

F. A. ALBERGER, Mayor.

Received and filed, and so much thereof as relates to the suit of George Hinson, referred to the City Attorney with instructions to defend; and the balance referred to the Committee on Finance.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

GENTLEMEN: On the 15th inst., there will become due six months interest on $31,000 6 per cent bonds issued December 31, 1853, for the purchase of the Central School property, said interest payable at this office. It is recommended that an order for $930 be drawn on the Generel Fund 1861 estimate for interest on the funded debt in my favor with which to pay such interest.

There is due James F. Chard, Deputy Comptroller, $66 66: James Inglis, book-keeper, $58 33; William H. Slade, Louis L. Trowbridge and W. H. Brooks, each $45, being salary for the month of August, and I recommend that orders be drawn in their favor respectively for the above amounts on the General Fund 1861 Comptroller's Department, in full payment of such salary.

I also report that I have demanded of S. Scheu Esq., late Receiver, the amount of taxes, interest and expenses on two scrips as directed by the report of the Finance Committee adopted on the 12th ultimo, and he refused to pay the same, but proposed to pay the amount he collected and interest at the rate of 7 per cent thereon.

I also report that an order for $1 88, drawn on the 12th ult. in favor of David Walker, Jr., has been withheld by me for the reason that the same does not correctly specify the street on which the work was done. This order is directed to be drawn on the Special Local Fund for repairing crosswalk across Fourteenth street, on northwest side of *Vermont* street. It should be, for repairing crosswalk across Fourteenth street on northwest side of York street, and I would recommend an order to be drawn accordingly, and the report of the Committee on Side and Crosswalks adopted on said 12th day of August be amended in this respect, so that "York" be inserted in place of "Vermont."

Respectfully Submitted,
ALONZO TANNER, Comptroller.

Filed and order directed to be drawn to pay interest as recommended, and so much of such communication as relates to order drawn in favor of David Walker, Jr., laid on the table temporarily, and the subject matter of the balance referred to the Committee on Finance.

FROM THE CITY ATTORNEY.

Buffalo, Aug. 26, 1861.

I hereby report that on the 1st inst., Francis G. Pattison recovered a judgment against the City, before C. A. Waldron, Esq., for $71 75 damages, and $3 92 costs, for services rendered as a Commissioner of Deeds, in taking affidavits of publication and services of notices of assessments. I am of opinion that the judgment is correct and therefore recommend that your Hon. Body provide for the payment of said judgment. It is properly chargeable upon the General Fund, Assessors Department

Respectfully submitted,
GEORGE WADSWORTH, City Attorney.

Referred to Committee on Finance.

FROM THE STREET COMMISSIONER.

GENTLEMEN—On the 6th of last May you passed a resolution directing the sidewalk on the northerly side of Fulton street, between Chicago street and Ohio Basin Slip, repaired at an expense not exceeding $25. On examination I find the walk in a very bad condition, and the repairs cannot be made for a much less sum than $50—and as no portion of it has been repaired under your order, and as it is necessary the walk should be repaired, I recommend that the limited expense be increased to $75.

L. J. WATERS, Street Commissioner.

Referred to Committee on Side and Cross Walks.

The Street Commissioner also reported the amounts due the employees in his office, and to the keeper of the Court House Park, for services in the month of August, and recommended that orders be drawn for the same.

Filed, and orders directed to be drawn.

FURTHER FROM THE STREET COMMISSIONER.

On the 21st ult., the bridge across the Evans Ship Canal, on Erie street, was broken down by a drove of cattle passing over it, and on the succeeding day the undersigned caused it to be repaired and made strong, as before the accident, at an expense of $43 34. On the next Thursday (29th) the bridge was again broken by another drove of cattle, and on the 30th he again caused the bridge to be repaired, at an additional expense of $103 30, by request of some of the principal taxpayers on said Canal. Some iron rods were added in the last repair, increasing the expense about $37, making the aggregate expense of both repairs $146 64; and the undersigned asks that provisions be made for the payment of said expense, and he respectfully reports that none of the city bridges are safe in cases of large droves of cattle being hurried over in great numbers, and recommends that one or more policemen be detailed to prevent driving cattle over bridges in large bodies, and that an ordinance be passed, with sufficient penalties against more than a certain number being passed over at one time, and not allowing the cattle to be stopped while passing over.

L. J. WATERS,
Street Commissioner.

Referred to the Committee on Streets.

FURTHER FROM THE STREET COMMISSIONER.

On the 22d day of July, 1861, you passed a resolution authorizing the Street Commissioner "to extend the main receiving sewer in Louisiana street through and connect the same with the abutments for the bridge across the Main and Hamburgh Street Canal, at an expense not exceeding $50" On examination, the undersigned finds that for a distance of about 50 feet northerly from the Canal the old sewer consists of a wood box, and paving the street over such a sewer would be bad policy; and taking up the wood sewer and substituting brick would increase the expense beyond the limit of your order passed on the 22d of July, therefore the undersigned recommends that the amount limited for extending said

sewer be increased to $100, which will be sufficient to construct a brick sewer in place of the wood and make the necessary connections with and through the abutments, and as the work cannot be finished until the sewer is extended, I recommend immediate action.

L. J. WATERS, Street Commissioner.

Referred to the Committee on Sewers.

FURTHER FROM THE STREET COMMISSIONER.

James Duffy asks a payment to apply on his contract for constructing sewer in Breckenridge street, from the easterly line of North Washington street to the Erie Canal.

The amount of said contract is.....	$2,453 33
Amount paid on said contract is.....	450 00
Amount of work done and not paid for.....	657 00
Amount proposed to be paid at this date is....	400 00

L. J. WATERS, Street Commissioner.

Filed and order directed to be drawn as recommended.

FURTHER FROM THE STREET COMMISSIONER.

The following described repairs have been made and works completed in accordance with your directions at the expense severally as hereinafter named, to wit:

ON STREETS.—Wood culvert repaired across Spring street on the northerly side of Hinckley street—$4 14.

Gutter deepened on the westerly side of Main street at the northwest corner of Niagara street—$22 85.

Goodall street repaired between Michigan and Mulberry streets—$10 00. Referred to Committee on Streets.

ON SEWERS AND RECEIVERS.—Sewer repaired at the pump on the south side of South Division street between Michigan and Pine streets—$3 28.

Receiver repaired on the south side of Fulton street, 330 feet east of Chicago street—$2 12.

Receiving Sewer repaired at the southwest corner of Washington and Chippewa streets—$2 40.

Sewer and Receiver repaired, on the southerly side of Water street opposite of LeCouteulx street—$9 05.

Receiving Sewer repaired at the northwest corner of Genesee and Elm streets—$4 04. Referred to the Committee on Sewers.

ON SIDE AND CROSSWALKS.

Sidewalk repiared on the westerly side of Hamburgh street, between Fulton and Ferry streets—$6 42.

Sidewalk repaired on the westerly side of Herman street, between Genesee and North streets—$26 00.

Sidewalk constructed on the northeast side of Fourteenth street, between Vermont and Rhode Island streets —$25 92.

Sidewalk repaired on the southerly side of Batavia street, between Jefferson and Spring streets—$50 00.

Crosswalk reconstructed across Hickory street on the northerly side of Genesee street—$6 08. Referred to Committee on Side and Crosswalks.

ON NUISANCES.

Nuisance abated on ground fronting on the northerly side of Virginia street, being 67 feet front by 91½ feet deep and commencing 100 feet east of Ninth street—$21 50. Referred to Committee on Sanitary Measures.

IN THE NEW TERRITORY.

Bridge repaired on Mineral Spring street, 50 rods northeasterly from the Aurora plank road—$49 96.

Clinton street repaired at both ends of the bridge over a ravine 200 feet westerly from the Buffalo and New York Central Railroad, as reported June 3d—$28 15.

Williamsville road repaired between the Hydraulic Canal and Clinton street—$10.

Wood culvert constructed across Amherst street, 100 feet easterly from Delaware street—$5 65.

Bridge repaired over ravine on Clinton street, 200 feet westerly from the Buffalo and New York Central Railroad, as reported June 3d, 1861—$49 77.

North Canal street repaired from Emslie street to Hagerman street—$24 95.

Respectfully submitted,

L. J. WATERS, Street Commissioner.

Referred to Committee on New Territory.

FROM THE STREET COMMISSIONER AND CITY SURVEYOR.

GENTLEMEN,—The undersigned, upon examination of the Breakwater along the shore of Lake Erie, to the southerly bounds of the city, now in process of repair by Dean Candee, would recommend the driving of 250 piles four feet further into the ground, and replacing the planking thereon, at an expense not to exceed $100.

L. J. WATERS, Street Commissioner.

PETER EMSLIE, City Surveyor.

Referred to the Committee on Wharves, Harbors, and Ferries.

The City Surveyor reported the amounts due the employees in his office, for services in the month of August, and recommended that orders be drawn for same.

Filed, and orders directed to be drawn.

FROM THE SUPERINTENDENT OF SCHOOLS

I have paid to the woman who cleans School House No. 29, name unknown, on the certificate of the teacher, $1 50 for cleaning the houseafter the repairs were completed. I respectfully recommend that an order be drawn in my favor for $1 50, in payment of the above.

SANFORD B. HUNT.

Superintendent of Schools.

Referred to Committee on Schools.

FURTHER FROM THE SUPERINTENDENT OF SCHOOLS.

During the late vacation, and just previous to an absence from the city, on examining the premises of School District No. 32, I found the inside walls needing considerable repairs, and deciding that papering would be the cheapest and most permanent, I consulted the Chairman of the School Committee and received his assurance that in his opinion the Council would justify me in ordering the work. I accordingly contracted with Elder & Stearns, who have performed the work This is the first meeting held by the Council since my return, and I respectfully request that my action in this case be approved by the Council.

By this expenditure the premises of No. 32 will be put in perfect repair, and will need but little for several years to come. I have not ascertained the exact cost, but it will be in the neighborhood of ninety dollars, chargable to Local Fund. There is a credit balance in the Local Fund of School District No. 32 of $5,204 21.

SANFORD B. HUNT.

Superintendent of Schools.

Referred to Committee on Schools.

The City Assessors reported the amount due the Clerk employed in their office, for services in month of August, and recommended that an order be drawn for same. Filed and order directed to be drawn.

The Receiver of Taxes reported the amounts due the employees in his office for services in month of August, and recommended that orders be drawn for same. Filed and orders directed to be drawn.

FROM THE FIRE MARSHAL.

With the approval of the Fire Committee, I have sold a hand fire engine (No. 6,) with a few lengths of old hose and an old hose cart, to the borough of Warren, Pa., for $980, and have taken the obligations of the borough of Warren for that amount, payable on April 1, 1862, and April 1, 1863, which I have deposited with the Comptroller. I respectfully ask your honorable body to approve of the sale.

D. KISSOCK, Fire Marshal.

Filed and action approved.

The Fire Marshal also reported the amounts due to the several employees of the Fire Department, for services in the month of August, and recommended that orders be drawn for same. Filed and orders directed to be drawn.

The Fire Marshal also reported sundry proposals to furnish three sets of harness for the Fire Department, in accordance with a resolution adopted by this Council. Referred to Committee on Fire.

FURTHER FROM THE FIRE MARSHAL.

Wm. Taylor has delivered 2036 feet of leather hose on his contract and asks for a payment of $1,000 on contract. Whole number of feet delivered 2036 at $1 per foot, $2036.

Amount paid to Taylor	$760 00
Amount asked for	1000 00
	$1760 00

I respectfully recommend that an order for $1000 be drawn in favor of Wm. Taylor to apply on his contract.

D. KISSOCK.
Fire Marshal.

Filed and order directed to be drawn as recommended, and subject matter of balance referred to Committee on Fire.

The Clerk of the Markets reported the amounts due to the Porters of the several Markets, for their respective services in the months of July and August, and recommended that orders be drawn for same. Filed and orders directed to be drawn.

The Chief of Police reported the amounts due the Captains of Police, Clerk, and Policemen, for services during the month of August. Amount, $2,260 32.

Filed, and orders directed to be drawn.

Also reported amounts due sundry persons for cleaning Police Station in month of August.

Referred to Committee on Police.

FROM THE HARBOR MASTER.

Some three months since your Honorable Body conferred upon me the appointment of Harbor Master without salary, since which appointment I have discharged the duties of the office to the best of my ability. I find that to discharge those duties faithfully it requires my entire time. I am not able to give my services longer, and therefore ask that your Honorable Body will grant me the salary of the office from the first day of September to the close of the year. A. P. DICKINSON.

Ald. Adams moved that this Council do now proceed to the election of a third Harbor Master, to act from September 1st for the remainder of the year.

Ald. Howard moved as an amendment to refer the whole subject to the Committee on Wharves, Harbors and Ferries. Lost.

Ayes—Ald. Howard, Swartz, Wheeler and Yaw—4

Nays—Ald. Adams, Allen, Bemis, Brush, Crowder, Dayton, Felton, Goembel, Grass, Hannovan, Mills, Palmer, Rutter, Scheu and Storck—15.

The motion of Ald. Adams was then carried.

The Council then proceeded to ballot for a third Harbor Master, Ald. Adams and Felton acting as tellers, and on such balloting

A. B. Dickinson received	17	votes.
Wm. Kennedy "	1	"
Blank "	1	"

And the said A B. Dickinson having received a majority of all the votes cast, was declared duly appointed a Harbor Master for the city of Buffalo.

The City Clerk reported that the following described assessment rolls had remained on file in his office more than ten days, since the first publication of a notice in the city paper, that the same were so filed, and that persons interested therein might apply to the common council for the correction of the same, and that no such application had been filed with him, viz:

No.	Amount ordered by Common Council.	Amount added by Assessors.	Total amount of Assessment.
2429—For constructiong a stone crosswalk across Court street, on the westerly side of Pearl street	$ 100 00	$ 1 00	$101 00
2430—For repairing crosswalk across Locust street, on the northerly side of Cherry street	8 00	60	8 60
2431—For constructing a plank crosswalk across Pratt street, on the northerly side of William street	6 64	60	7 24
2432—For repairing the crosswalk across North Washington st., on the northwesterly side of Ferry street	5 76	50	6 26
2433—For constructing a plank crosswalk across Fifth street, on the southeasterly side of Virginia street	6 56	50	7 06
2434—For repairing the crosswalk across Spring street, on the north side of Clinton street	7 20	60	7 80
2435—For repairing the crosswalk across Goodell street, on the north side of Cherry street	7 00	50	7 50
2436—For reconstructing crosswalk across Franklin street, on the southerly side of Church street	75 00	60	75 60
2437—For repairing the stone crosswalk across Clinton street on the easterly side of Elm street	14 63	50	15 13

2438—For repairing the stone crosswalk across Clinton street on the westerly side of Michigan street	14 91	50	15 41
2439—For repairing the stone crosswalk across Swan street, on the westerly side of Elm street	20 00	50	20 50
2440—For constructing a plank crosswalk across Clinton street on the easterly side of Smith street	8 32	50	8 82
2441—For repairing the plank crosswalk across Cedar street, on the northerly side of Clinton street	7 20	50	7 70
2442—For reconstructing a plank crosswalk across Spring street, on the southerly side of North			
2443—For reconstructing a plank crosswalk across Cedar street, on the norh side of North Division street	7 72	75	8 47
2444—For reconstructing plank crosswalk across Carlton street on the easterly side of Elm street	6 88	50	7 38
2445—For repairing the plank ross walk across Fulton street, on the westerly side of Hamburgh street	7 84	50	8 34
2446—For repairing the plank crosswalk across Grosvenor street, on the northerly side of South Division street	7 74	75	8 49
2447—For reconstructing a plank crosswalk across Allen street, on the easterly side of Delaware street	7 68	75	8 43
2448—For constructing a plank crosswalk across Tupper street, on the north-westerly side of Carolina street	8 64	75	9 39
2449—For constructing a plank crosswalk across Jefferson street, on the southerly side of Batavia street	9 96	50	10 46
2450—For constructing a plank crosswalk across Forest Avenue, on the easterly side of Niagara street	5 60	60	6 20
2451—For repairing sidewalk on the south side of Green street, between Washington and Michigan streets	27 82	62	28 44
2452—For repairing the plank sidewalk on the easterly side of Jefferson street, between North Division and Eagle streets	8 68	50	9 18
2453—For constructing a stone sidewalk on the southeasterly side of Virginia street, between the present walk on Niagara street and the curbing on the southeast corner of Niagara and Virginia streets	5 00	50	5 50
2454—For repairing the plank sidewalk on the southwest side of Palmer street, between Hudson and Maryland ssreet	20 29	61	20 90
2455—For repairing the plank sidewalk on the west side of Michigan street, between Sycamore and Batavia streets	26 40	70	27 10
2456—For repairing plank sidewalk on the westerly side of Hickory street, between Batavia and Sycamore streets	5 90	50	6 40
2457—For repairing plank sidewalk on the westerly side of Spring street, between Sycamore and Genesee streets	16 00	50	16 50
2458—For repairing plank sidewalk on the southeast side of Genesee street, between a point 250 feet northeasterly from Herman street and a point 150 feet northeasterly therefrom	13 88	32	14 20
2459—For repairing plank sidewalk on the northerly side of Genesee street, between Oak and Elm streets	11 20	30	11 50
2460—For repairing plank sidewalk on the west side of Elm street, between Tupper and Goodell streets	17 76	30	18 06
2461—For reconstructing a plank sidewalk on the southeast side of Lloyd street, between the westerly line of Canal street and the easterly line of Prime street	29 84	50	30 34
2462—For repairing the sidewalk on the southerly side of Ohio street, between Main and Washington streets	7 00	50	7 50
2463—For repairing the sidewalk on the east side of Kinney street, between Seneca and Folsom streets	8 96	44	9 40
2464—For repairing the sidewalk on the easterly side of Hickory street, between William and Batavia streets	12 96	60	13 56
2465—For repairing plank sidewalk on the northwest side of Maryland street, between Tenth and Cottage streets	17 60	50	18 1
2467—For repairing plank sidewalk on the easterly side of Walnut street, between Eagle and Clinton streets	16 80	30	17 10
2469—For repairing and maintaining the public well and pump No. 80, located at the corner of Mortimer and Genesee streets	12 00	1 50	13 50

2470—For repairing and maintaining the well and pump No.126, located at the corner of Niagara and Hudson streets.....	5 00	1 25	6 25
2471—For constructing and maintaining a public well and pump near the northwest corner of Michigan and Carlton streets.....	311 00	2 00	313 00
2473—For grading and paving Niagara street, from the northerly line of Amherst street to the northerly line of Hamilton street.....	2825 14	2 86	2828 00
2474—For repairing Niagara street from the northerly line of Hamilton street to the center line of Bird street, by planking a roadway therein.....	977 76	2 24	980 00
2475—For repairing Niagara street, from the center line of Bird street to Cornelius Creek, by planking a roadway.....	665 60	1 40	667 00
2476—For repairing Delaware street, between Chapin and Amherst street.....	49 25	50	49 75
2477—For repairing Massachusetts street, between Tenth and Fourteenth streets	23 97	85	24 82
2478—For grading and working Franklin street, from Chippewa street to Tupper street.....	75 00	1 45	76 45
2479—For repairing Jefferson street, between South Division and Clinton streets.....	39 50	1 00	40 50
2480—For constructing a brick sewer, 18 inches in diameter in the clear, with wall 8 inches thick, in the south side of Seneca street, from the termination of the present sewer in said street to the old city line.	330 00	1 00	331 00
2481—For constructing a receiver in the Emslie street sewer, at a point where it crosses the bed of the Little Buffalo Creek, between Seneca and North Canal streets.....	46 60	1 40	48 00
2482—For reconstructing a sewer and receiver at the southeast corner of Hickory and Cherry street.....	26 54	96	27 50
2483—For repairing sewer and receiver at the northwest corner of North Division and Jefferson streets	14 29	1 21	14 50
2484—For repairing the sewer and receiver at the northwest corner of Batavia and Elm streets	12 63	1 00	13 63
2485—For repairing the sewer and receiver at the southwest corner of Seneca and Van Rensselaer streets.....	13 85	66	14 51
2486—For repairing the sewer and receiver at the southwest corner of Batavia and Elm streets	16 19	46	16 65
2487—For repairing the sewer and receiver at the northwest corner of Eagle and Union streets	15 68	85	16 53
2488—For repairing wood culvert across Dearborn street, between Farmer and Austin streets	3 45	55	4 00
2489—For constructing a wood culvert across Locust street, on the northerly side of Cherry street	12 60	1 00	13 60
2491—For repairing the wood culvert across Forest avenue, about 1700 feet west of Delaware street.....	7 65	50	8 15
2492—For repairing the wood culvert across Forest avenue, on the westerly side of Delaware street	4 79	50	5 29
2493—For constructing a wood culvert across Fulton street, on the easterlyside of Alabama street	8 00	1 00	9 00
2494—For reconstructing the wood culvert across Carlton street, on the westerly side of Mulbury street.....	8 00	75	8 75
2495—For repairing the wood culvert across York street, on the southerly side of Fourteenth street.....	7 75	30	8 05
2496—For repairing the gutter on the southeasterly side of Genesee street, between Ash and Spruce streets.....	10 00	50	10 50
2497—For constructing a dry stone wall back of the south abutment of bridge across Scajaquada Creek, on Niagara street	200 00	15 00	215 00
2498—For securing the north abutment of the bridge across Scajaquada Creek, on Niagara street	148 75	15 00	163 75

Ald. Dayton moved the Assessment Roll No. 2474 be confirmed. Carried.

Ayes—Ald. Allen, Bemis, Brush, Crowder, Dayton, Felton, Goembel, Grass, Hannoven, Howard, Mills, Palmer, Rutter, Scheu, Storck, Swartz, Wheeler and Yaw—18.

Noes—None.

Ald. Dayton moved the Assessment Roll No. 2475 be confirmed. Carried.

Ayes—Ald. Allen, Bemis, Brush, Crowder, Dayton Felton, Goembel, Grass, Hannovan, Howard, Mills, Palmer, Rutter, Scheu, Storck, Swartz, Wheeler and Yaw—18.

Noes—None.

Ald. Howard moved that the consideration of the Assessment Rolls as reported by the City Clerk, with the exception of Rolls No. 2474 and 2475 be postponed for one week. Carried.

The City Clerk also reported that the following named assessment roll had remained on file in his office more than ten days since the first publication of a notice in the city paper that the same was so filed, and that D. N. Clark and John Fogarty had filed an application for the correction of the same, viz:

No. 2472—For repairing Perry street, from Hamburg street to a point 200 feet easterly therefrom—amount, $32.

Time for consideration fixed for two weeks from to-day.

The City Clerk also reported that the following named assessment roll had remained on file in his office more than ten days since the first publication of a notice in the city paper that the same was so filed, and that Wm. R. Coppock and another had filed an application for the correction of the same, viz:

No. 2490—for reconstructing a stone culvert across Steele street, on the easterly side of Main street—amount, $15 50.

Time for consideration fixed for two weeks from to day.

The City Clerk also reported the following named assessment Roll had remained on file in his office more than ten days since the first publication of a notice in the city paper, that the same was so filed, and that H. C. Oliver had filed an application for the correction of the same. viz:

No. 2468—For repairing sidewalk on south side of Eagle street, between Spring and Jefferson streets, amount $15 62.

Time for consideration fixed for one week from to-day.

The City Clerk also reported that the time for the further consideration of, and the hearing of parties interested in the following described assessment rolls, viz;

No. 2376—For the purpose of paying the just compensation awarded to the person or persons owning or having an interest in the land and property taken to lay out Carlton street, from the easterly line of Main street to the northwesteaily line of Genesee street, together with the costs and expenses of the ascertainment—amount, $3,573 67:

No. 2397—For repairing and maintaining the public well and pump at the corner of Sycamore and Pratt streets—amount, $262: had been postponed until Monday, Sept. 2d, 1861, but in consequence of the failure of the Common Council to meet on that day, it would be necessary to take some further action in the matter.

Ald. Howard moved that the time for the consideration of and hearing of parties interested in Roll No. 2376, be fixed for three weeks from to-day. Carried.

Ald. Stork moved that the time for the consideration of and hearing of parties interested in Roll No 2397, be fixed for one week from to-day. Carried.

Assessment Roll No. 2,398. For widening, straightening and enlarging Buffalo Creek at the Toll Bridge on Ohio street, by excavating a channel on the northerly side of said Creek—amount $5,935 00—the time for the consideration of which had been postponed until to-day, was taken up.

Ald. Palmer moved that the consideration of the said roll and the hearing of parties interested therein, be further postponed until Monday, September 30th, 1861. Carried.

The City Clerk reported the amounts due to the employees in his office, to the Harbor Masters, to the Porters of the City Buildings, to the City Scavenger, and the Keeper of the Pest House, for their respective services in the month of August, and recommended that orders be drawn for same. Filed, and orders directed to be drawn.

The City Clerk also repored that at a meeting of the Board of Health, held August 31, 1861, the following accounts were presented and audited by the board and referred to the Council for payment:

William Miller, for boarding patients at the Pest House—$14 00.

Frederick Schiefer, repairs at Pest House—$1 00.

Hamlin & Mendsen, sundries for Pest House—$1 00.

John Elliott, amount paid for straw for Pest House—$1 00.

Geo. J. Reinhardt, services as Health Inspector for August, 31 days—$46 50.

John Elliott, services as Health Inspector for August, 31 days—$46 50.

Orders directed to be drawn in favor of John Elliott and Geo. J. Reinhart, for services as Health Inspectors and the balance of such communication referred to Committee on Sanitary Measures.

FURTHER FROM THE CITY CLERK.

Mr. Thomas J. Smith, appointed by your Honorable Body, to the office of sealer of weight and measures, has not, although repeatedly notified so to do, filed his bond in this office.

On the 27th of April last, you appointed Peter Dietrick to the office of Constable, of the 8th Ward, in place of Edward Bennet, resigned. No bond has yet been filed in this office by said appointee.

O. F. PRESBREY, City Clerk.

Ald. Howard moved that the City Clerk be directed to serve written notice on Thos. J. Smith, to file his bond within two days. Carried.

Ald. Howard moved that the City Clerk be directed to serve written notice on Peter Deitrick, to file the proper bond in his office. Carried.

Ald. Allen moved to reconsider the vote postponing for one week the consideration of the assessment rolls presented to the Council this day by the City Clerk. Carried.

Ald. Allen then moved that assessment roll No. 2480 be confirmed. Carried.

AYES—Ald. Adams, Allen, Bemis, Brush, Crowder, Dayton, Felton, Goembel, Grass, Hanovan, Howard, Palmer, Rutter, Savage, Scheu, Storck, Swartz, Wheeler, and Yaw—19.

NOES—none.

Ald. Allen moved that the consideration of the various assessment rolls, reported by the Clerk, with the exception of rolls Nos. 2474, 2475, and 2480, be postponed for one week. Carried.

The written resignation of James C. Strong, of the office of Commissioner of Deeds, was presented. Filed and resignation accepted.

Ald. Felton moved that Elwin C. Patteson be appointed Commissioner of Deeds in place of James C. Strong, resigned.

Ald. Howard moved as an amendment that Timothy W. Crowley be appointed. Carried.

PETITIONS.

Of E. Levi, to be released from tax.

Of H. W. Hotchkiss, to have a declaration of sale granted in his name on petition of Jno. T. Tilley.

Of B. A. Manchester, to have a local order paid.

Of Henry Hellriegle, to have a tax refunded.

Of Esther Sherman, to have an erroneous tax corrected, and amount paid or same refunded.

Of LeGrand Marvin, Executor, to have clerical error corrected, on 1861 General City Tax Roll.

Of John T. Tilley, for a declaration of sale on lot on northwest side of Carolina street, lying 25 feet northeast of Fourth street, being 61 feet front by 84 feet deep.

Of Mason Hill, to have a tax refunded.

Of Sisters of Charity, to have a tax refunded. Referred to Committee on Finance.

Of James C. Beecher, to be appointed Commissioner of Deeds Referred to Committee on Schools.

Of Buffalo Street R R Company, for permission to erect hay scale, on Washington street. Referred to Committee on Streets.

Of E. Higgins and others, for side and crosswalk, on the west side of Cedar street, between Clinton and Eagle streets.

Of Moses Baker and others, to have sidewalk repaired, on North side of Genesee street, between Washington and Ellicott streets.

Of L. B. Clark and others, to have sidewalk constructed on the South side of North Division street, from Grosvenor street, 100 ft. easterly. Referred to Committee on Side and Crosswalks.

Of C. C. Wells, for permission to erect a wooden building in Alley, in rear of No. 371 Franklin street.

Of Fred. Trankle, for permission to erect an addition to his house, on Seventh street, west of Georgia street. Referred to Committee on Fire.

Of Maria Donevan, for the release of Cornelius Donevan from the Penitentiary.

Of sundry persons, for the release of H. McCool from the Penitentiary. Referred to Committee on Police.

Of Charles Sauer, for license to sell fresh meat at corner of William and Walnut streets.

Of Frederick Hoffer, for same, on Main street, near Mohawk.

Of Thomas Deacon, for same, to peddle meat.

Of Henry Reame, for same, at 190 Niagara street.

Of August Russell, for same, at corner of Chicago and Swan streets.

Of Harlow G. Dudley, for same, at corner of Swan and Michigan streets.

Of Levi Smith, for license to peddle meat. Referred to Committee on License.

Of Marion W. Wilcox, widow of Lewis C. Wilcox, for Fireman's Certificate, for services rendered by said Lewis C. Wilcox.

Of Daniel Garry, for Fireman's Certificate.

Of John O'Brian, for same.

Of Louis Kirkover, for same. Referred to the City Clerk, with power.

Petition of the St. Michael Society, for permission to march with music in the streets, on Sunday, Sept. 29th.

Ald. Storck moved that the prayer of the petition be granted. Lost for want of a ⅔ vote.

Ayes—Ald. Adams, Allen, Bemis, Brush, Dayton, Goembel, Grass, Hanovan, Rutter, Scheu, Stork and Swartz—12.

Noes.—Ald. Crowder, Felton, Howard, Palmer, Wheeler and Yaw—6.

Ald. Howard moved to refer the subject matter of said petition to the Committee on Police. Carried.

Petition of Jacob Hitzel, for license to sell fresh meats at 237 Genesee street, and 835 Seneca street.

Ald. Scheu moved that the prayer of the petition be granted.

Ald. Howard moved to refer the same to the Committee on Markets. Carried.

Petition of Samuel Twichell, Jr., and others, to have R. M. Taylor appointed Supervisor of the 18th Ward, in place of Aaron Martin, deceased.

Ald. Stork moved to refer said petition to the Committee on Sewers.

Ald. Hanovan moved as an amendment to refer the same to the Committee on Schools.

Ald. Hanovan withdrew his motion.

Ald. Brush moved as an amendment to refer said petition to the Committee on Schools. Carried.

Ayes—Ald. Adams, Bemis, Brush, Crowder, Dayton, Goembel, Grass, Howard, Mills, Palmer, Storck, Swartz, Wheeler, and Yaw—13.

Noes—Ald. Felton, Goembel, Hanovan, Rutter, and Scheu—5.

Petition of Anthony Bath for permission to erect a wooden addition to his house on Genesee street, between Elm and Michigan streets.

Ald. Storck moved that the prayer of the petition be granted, under the direction of the Fire Marshal, and subject to the further order of this Council. Carried.

Ayes—Ald. Adams, Allen, Bemis, Brush, Crowder, Dayton, Felton, Goembel, Grass, Hanovan, Mills, Palmer, Rutter, Scheu, Storck, Swartz, Wheeler, and Yaw—18.

Noes—none.

Petition of the Buffalo Street Railroad Co. that the Common Council determine the cost of said railroad, between Huron street and the Buffalo Creek, pursuant to the provisions of the 26th rule prescribed by the Council in relation to said road.

Ald. Palmer moved that said petition be referred to a special committee of three, the President of the Council to be Chairman of the same, and that the City Surveyor be added to such committee. Carried.

The Chair appointed Ald Felton and Wheeler as such committee.

REMONSTRANCES.

Of Peter Grier and others, against the confirmation of Assessment Roll No. 2897 for repairing and maintaining well and pump corner Sycamore and Pratt streets.

Referred to Committee on Water.

ACCOUNTS REFERRED.

W. Chase & Son, (18 ac), for sundries for schools.

Wesley Emmons, (3), for labor and material for Schools.

Saml. Caldwell, for whitewashing for Schools Nos. 4, 6 and 32.

Charles Williams, for whitewashing School No. 11.

Frederica Getzinger, for cleaning School House No. 1.

John B. Sackett, for cleaning School House No. 4.

Elizabeth Butler, for cleaning School House No. 11.

Mrs. Riley, for cleaning School House No. 10.

Marian Wager, for cleaning School House No. 32.

Mrs. S. Claraluna, for cleaning School House No. 14.

N. Wilgus, for labor and materials for Schools No. 3, 7, 11 and 23.

Blodgett & Bradford, for moving Piano, for School No. 7. Referred to Committee on Schools.

A. D. Morton, for repairing North Canal street, from Emslie street to Hagerman street.

David Walker, Jr., for repairing Goodell street, between Michigan and Mulburry streets.

Isaac Holloway, for deepening gutter on Main street at northwest corner of Main and Niagara streets.

John Erb, for cleaning paved streets, alleys, &c.

John Fisher, for same.

Philip Shaw, for same.

Geo. Fisher, for same. Referred to Committee on Streets.

John Wannop, for repairing receiving sewer at the southwest corner of Washington and Chippewa street.

Same, for repairing receiving sewer at the northwest corner of Genesee and Elm streets.

Same, for repairing sewer and receiver at the southerly side of Water street, opposite Lecouteulx street. Referred to Committee on Sewers.

F. Scheifer, for reconstructing plank crosswalk across Hickory street, on the northerly side of Genesee streets.

Same, for repairing sidewalk on the westerly side of Herman street, between Genesee street and North street (so called).

L. Williams, for repairing sidewalk on the westerly side of Hamburgh street, between Fulton and Perry streets.

W. I. Williams, for repairing sidewalk on the southerly side of Batavia street, between Jefferson and Spring streets. Referred to Committee on Side and Crosswalks.

F. Colligon, for labor and materials for Fire Department.

Fred. Gundlock, for Hay for Fire Department.

J. Scheiffer, for Hay for Fire Department.

Wm. Taylor, for repairing Hose for Fire Department.

N. Case, for Oil for Fire Department.

Dickey & Marsh, for Feed for Fire Department.

Ernest Clein, for Hydrant Boxes, for Fire Department.

N. Wilgus, for Paper Hangings for Fire Department.

W. I. Williams, for repairs on Engine House No. 9.—Referred to Committee on Fire.

Klein & Dobinson, (9 ac), for repairs to sundry pumps.

Philip Shaw, for pumping water from well on the corner of Sycamore and Pratt streets.

N. Seibert, for same.

J. Zimmerman, for same.

R. Hextell, for cleaning well on the northeast corner of William and Jefferson streets.

Same, for cleaning well on the northwest corner of Jefferson and Swan streets

John Wannop, for repairing receiver at the pump on the south side of Fulton street 330 feet east of Chicago street.

Same, for repairing sewer at the pump the south side of South Division street, between Michigan and Pine streets.

F. C. Hill, for tins for notices. Referred to Committee on Water.

G. Hoyt, for damages sustained by breaking down of the Erie street bridge.

E. D. Shoemaker, for services as Inspector of Election for Twelfth Ward.

Donald Bain, for services as Clerk to Overseer of the Poor. Referred to Committee on Claims.

Benj. Toles, (2 ac), for commitments to the Penitentiary.

D. S. Reynolds, for Commitments to the Penitentiary. Referred to Committee on Police.

Buffalo Gas Light Company, for Gas for month of August.

James G. Turner, for lighting public lamps. Referred to Committe on Public Lamps.

William Mensch, for abating nuisance on ground fronting northerly side of Virginia street, being 67 feet front by 91½ feet deep and commencing 100 feet east of Ninth street. Referred to Committee on Sanitary Measures.

Alvin Joslyn, for repairing bridge on Mineral Spring street, 50 rods northeasterly from Aurora Plank Road.

Same for repairing the bridge on Mineral Spring street.

Same for repairing Williamsville Road between Hydraulic Canal and Clinton street.

E. F. Blackmond, for repairing wood and stone culvert across 14th street, between Massachusetts and Hampshire streets.

Geo. Miller, for repairing Clinton street at both ends of the bridge over ravine.

Wm Farmer, Jr., for constructing wood culvert across Amherst street, 100 feet easterly of Delaware street.

L. Williams, for repairing wood culvert across Spring street, northerly side of Hinkley street. Referred to Committee on New Territory.

Samuel Green, for services as Keeper of Prospect Hill Parks. Referred to Special Committee on Prospect Hill Parks.

ACCOUNTS ALLOWED.

Wm. Mensch, for cleaning paved streets in August, —$266 67.

Jacob Sohn, for services as Street Inspector for August —$33 75.

John B. Sewell, for same—$33 75.

John Drexler, for same—$33 75.

F. C. Schmelzer, for same—$33 75.

Chas Broshart, for same—$32 50.

REPORTS OF COMMITTEES.

By unanimous consent Ald. Palmer, from the Committee on Streets, offered the following:

Resolved, That the Common Council of the city of Buffalo, by virtue of the power and authority in them vested by the Charter of said city, do hereby ordain and enact the following a Chapter XXVIII of the ordinances of said city to be entitled "Of Street Rail Roads."

CHAPTER XXVIII.

OF STREET RAILROADS.

SECTION 1. No person shall place, lay, drive, or suffer, or permit, to go, stand, or remain wholly, or partly, on the track of any of the Street Railways, now constructed, or hereafter constructed, in the city, or any street where any track, or tracks, of any such railway may be now or hereafter constructed, or laid, any wagon, carriage, ve-

hicle, animal or other obstruction or thing, with the intent to hinder, delay or obstruct, the free use of such railway, or the free passage and running of cars, over and along the same, or over or along any part thereof.

§ 2. Every person, walking, riding, standing or driving, upon any of said railway tracks, on the approach of any car or cars, and after notice of such approach, by four or more strikes of the bell of the car approaching, or other sufficient notice, shall immediately remove from said track, so as to permit said car or cars to pass freely without unnessary delay.

§ 3. No person shall place, or cause to be placed upon the rails or track of any Street Rail Road, any stone, wood, or other substance, tending to hinder, injure, delay or obstruct, the free passage or running of any car upon the same, or of the animals attached thereto, or throw any stone or other missile, at, or towards any car, or the passengers or persons thereon, or the animals attached thereto, with intent to delay or injure the said car, persons or animals; nor shall any person discharge any firearms or fireworks, at, or near, any of said cars, passengers or animals, with intent to injure the said cars, or frighten the animals attached to the same.

§ 4. No person or persons shall seize, hang upon, get into, or stand upon any of said cars, without intent to ride upon the same as a regular passenger; nor shall any person make or cause any disturbance, or be guilty of disorderly conduct, be intoxicated, or use obscene or profane language, on any of said cars. Any person violating this last prohibition, may be removed from the car by the person or persons in charge of the same, and shall also be subject to the penalty hereinafter provided.

§ 5. Any person offending or violating any of the provisions of the first section of this chapter, shall forfeit and pay a penalty of not less than five dollars nor more than twenty dollars for each and every violation. Any person offending or violating any provision of the second section, shall forfeit and pay a penalty of not less than five nor more than twenty dollars. Any person offending or violating any provisions of the third section, shall forfeit and pay a penalty of not less than two nor more than fifteen dollars. Any person offending or violating any of the provisions of the fourth section, shall forfeit and pay a penalty of not less than five nor more than twenty dollars for each and every offence. And in case the person so offending shall be a minor, then the parent or guardian of such minor, as well as such minor himself, shall be subject to the payment of the penalty incurred. The amount of the penalties within the limits above prescribed, shall be fixed and determined by the court before whom the action or proceeding for the money shall be had.

§ 6. Any officer or attorney of any owner of said cars, upon which any offence under the provisions of this chapter shall have been committed, may commence, prosecute and conduct to judgment, and on appeal, in the corporate name of the city, actions, suits and proceedings, for any and all of such penalties, provided always such owner or owners of such cars, shall indemnify and save harmles the said city, of and from all costs of such action, proceeding or appeal, in case the plaintiff shall fail to recover; the undertaking to indemnify and save harmless the said city, shall be approved by the Court before whom such action shall be brought or proceedings had. All penalties recovered under any of the provisions of this chapter shall belong to the city of Buffalo and be paid to the treasurer thereof.

§ 7. The foregoing chapter of ordinances or any part thereof shall not be construed in any manner to relieve any Railroad Company heretofore organized or hereafter to be organized, from the full and complete compliance on their part with all the terms, stipulations and conditions under which their respective grants shall have been made, or may hereafter be made, or amendments made thereto.

Ald. Palmer moved that the report be laid on the table for one week, and be printed, and to be taken up under the order of reports from the City Clerk. Carried.

Ald. Adams, by unanimous consent offered the following resolution:

That the chairman of this Council appoint a Committee of three, to report on or before the 23d day of September, the names of suitable persons to act as Inspectors of Election in several election districts in the several wards of the city at the next election. Adopted.

The chair appointed as such Committee Ald. Adams, Grass and Storck.

Ald. Howard, from the Committee on Finance, offered the following:

The Committee on Finance beg leave to report, that the time limited by a resolution passed by the Council on the 28th day of January, 1861, allowing to tax payers whose lands had been sold to the city, and where the certificates of sale were held by the city to redeem their lands by the payment of a less rate of interest than the charter allowed the city to charge, expired on the 1st day of September, 1861, and that by said resolution the Comptroller after that date was authorized to sell tax certificates to third parties at the amount thereof, and ten per cent. interest and expenses, which authority was countermanded by a resolution passed at the last meeting of this Council. The object and design of the action referred to on the part of the Council were to extend to the tax-payers of the city all the lenity and relief, consistent with a proper regard to the credit of the city, in the payment of their taxes which the pressure of the times had rendered them unable to pay, anticipating that within the time limited by said resolution, returning prosperity to the country would relieve them from the necessity of any further need of aid or relief, but subsequent events have placed our community in a worse rather than a better condition, and more in need of similar relief, if possible, than at any other time, your Committee would therefore recommend an extension of the time for making such redemptions.

That the Comproller be directed to publish notice in the city paper and in the Buffalo Telegraph, that all tax payers whose lands have been sold to the city, where the certificates of such sales are held and owned by the city, may redeem their lands, so sold, by paying into the city treasury at any time, before the first day of January, 1862, the amount for which such lands were sold, and interest thereon, at 7 per cent., and all expenses incurred by the city in relation thereto and properly chargeable thereon; provided that any and every tax payer, desiring so to redeem his lands, shall pay all the tax rolls which the city shall hold on any such lands, and that on all such sales which shall remain unredeemed, on the 31st day of

Dec., 1861, said Comptroller be directed to add one per cent. interest in addition to said 7 per cent. for every month thereafter, until the amount of interest to be charged thereon shall reach 10 per cent.

That the Comptroller be and he is hereby authorized to sell to any person who shall be willing to take the same, and to the city reassure the amount of such sale and interest at 10 per cent, and the expense incurred by the city, all tax sales which shall remain unredeemed for one month after such rate of interest shall reach 10 per cent., provided any person desiring to make such purchase shall take all sales and declarations of sale which the city shall hold on any particular lot.

That the authority conferred upon the Comptroller to allow redemption from tax sales held by the city, shall also extend to a sale of any declaration of sale which the city may hold on any lots, but that the assignee in addition to the expenses already incurred by the city, the Comptroller be directed to charge fifty cents for the assignment and the expense of the acknowledgment thereof.

Resolved, That the Comptroller be, and he is hereby forbidden to make any sale of any certificate of tax sale now held by the city, unless the full amount thereof including the full rate of interest allowed by law, and all expenses incurred by the city shall be first paid into the City Treasury, and unless also the purchaser shall also take all such certificates and declarations of sale which the city shall have on the same lot, except in accordance with the foregoing resolutions, and as hereinafter provided, to wit: Whenever the owner of any lot of land, or other person entitled to redeem the same, shall be unable to pay to the city the amount necessary to redeem such lot from such sales, shall present a request in writing to the Comptroller, and file the same in his office asking to have such certificates assigned to some person named in such request, and shall also accompany such request with affidavit showing his interest in the premises in question, if the said Comptroller shall be satisfied therefrom that such person is entitled to redeem such lands from such sale, and that such request is made in good faith and not with intent to obtain any undue advantage over the real owner, he shall be authorized to assign such certificates, as requested, upon payment into the City Treasury by the assignee of the same, which, at the payment thereof, would be required under these resolutions, of the applicant to redeem the same lands. Adopted. Ayes, Ald. Adams, Allen, Bemis, Brush, Crowder, Dayton, Felton, Goembel, Grass, Hanovan, Howard, Mills, Palmer, Rutter, Scheu, Storck, Swartz, Wheeler, and Yaw.—19; Noes, 0.

The report of the Special Committee on the division of the various Wards into election districts, laid over at the last meeting to come up under the order of reports from the Committee on Finance, was taken up, and after several amendments was finally adopted as follow:

FIRST WARD.

1st District—All that portion lying westerly of the centre of Michigan street, and the westerly or northerly line of Pratt Slip; thence following in same direction from its termination to Lake Erie, shall comprise said District.

2nd District—All that portion of said ward lying easterly of Michigan street and Pratt Slip, and westerly of Louisiana street, shall comprise said Second District.

3d District—All that portion of said ward, lying easterly of Louisinana street, shall comprise the said Third District.

SECOND WARD.

1st District—All that portion of said word, lying southerly of Seneca street, shall comprise the First District.

2d District—All that portion of said ward, lying northerly of Seneca and southerly of South Division shall comprise the Second District.

3d District—All that portion of said ward lying northerly of South Division street shall comprise the Third District.

THIRD WARD.

1st District—All that part of said ward lying westerly of Spring and Alabama streets, shall comprise the first district.

2d District—All that part of said ward lying easterly of Spring and Alabama streets, shall comprise the second district.

FOURTH WARD.

1st District—All that part of said ward southerly of Mohawk street, westerly of Ellicott street, and southerly of Batavia street, shall comprise the first district.

2d District—All that part of said ward, lying northerly of Mohawk street, easterly of Ellicott street, northerly of Batavia street, and southerly of Chippewa and Genesee streets, shall comprise the 2d district.

3d District—All that part of said ward northerly of Chippewa and Genesee streets, shall comprise the third district.

FIFTH WARD.

1st District—All that part of said Ward lying westerly from Monroe street, and southerly of William street, shall comprise the first district.

2d District—All that part of said Ward lying westerly of Monroe street, and northerly of William street, shall comprise the second district.

3d District—All that part of said Ward lying easterly of Monroe street, shall constitute the third district.

SIXTH WARD.

1st District—All that part of said Ward lying southerly of Sycamore and westerly of Jefferson street, shall comprise the first district.

2d District—All that part of said Ward lying northerly of Sycamore and westerly of Jefferson streets, shall comprise the second district.

3d District—All that part of said Ward lying easterly of Jefferson street, shall comprise the third district.

SEVENTH WARD.

1st District—All that part of said Ward easterly of Main, northerly of Goodell, westerly of Mulberry, southerly of High streets, shall comprise the first district.

2d District—All that part of said Ward lying easterly of Main, northerly of High, westerly of Jefferson to Best street, and northerly of Best and Genesee streets to Delevan avenue, shall comprise the Second District.

3d District—All that part of said Ward lying northerly of Genesee, southerly of Best, easterly of Jefferson to High, southerly of High to Mulberry, easterly of Mulberry to Goodell, southerly of Goodell to Michigan, easterly of Michigan to Genesee street, shall comprise the Third District.

EIGHTH WARD.

1st District—All that part of said Ward lying southerly or easterly of Erie street, shall comprise the First District.

2d District—All that part of said Ward lying northerly or westerly of Erie street, shall comprise the Second District.

NINTH WARD.

1st District—All that part of said Ward lying southerly of Court street and easterly of Delaware street, shall comprise the First District.

2d District—All that part of said Ward lying northerly of Court street and westerly of Delaware street and southerly of Huron street to Ninth street, shall comprise the Second District.

TENTH WARD.

1st District—All that part of said Ward lying westerly of Delaware street and northerly or westerly of Virginia street, shall comprise the first district.

2d District—All that part of said Ward lying easterly of Delaware to Virginia street, and southerly of Virginia street, shall comprise the second district.

ELEVENTH WARD.

1st District—All that part of the said Ward, lying easterly of the State Reservation Line, shall constitute the first district.

2d District—All that part of the said Ward, lying westerly of the State Reservation Line, shall constitute the second district.

TWELFTH WARD.

1st District—To be constituted same as last year.

2d District—To be constituted same as last year.

THIRTEENTH WARD.

To remain one district, same as last.

Ald. Adams—By unanimous consent offered the following resolution:

That the City Surveyor be, and he is hereby directed to cause the necessary number of maps to be made of the various election districts, as now fixed by this Council; said maps to be ready on, or before the day designated by law for posting. Adopted.

On motion of Ald Allen the Common Council then adjourned to meet next Monday afternoon, Sept. 16th, 1861, at 2 o'clock.

O. F. PRESBREY,
City Clerk.

MINUTES No. 32.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Sept. 16, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council, and Ald. Adams, Allen, Brush, Crowder, Dayton, Felton, Goembel, Hannovan, Mills, Russell, Rutter, Scheu, and Wheeler.

Absent—Ald. Beckwith, Dorr, Grass, Howard, Jones, Palmer, Pratt, Savage, Storck, Schwartz, Walsh, and Yaw.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM THE MAYOR.

MAYOR'S OFFICE,
Buffalo, Sept. 16th, 1861.

To the Hon. the Common Council:

GENTLEMEN: I have been served with summons and complaint on the part of Elizabeth Read against the City of Buffalo.

I have sent the papers to the City Attorney.

Respectfully,

F. A. ALBERGER, Mayor.

Filed and City Attorney directed to defend.

FROM THE SUPERINTENDENT OF SCHOOLS.

SCHOOL DEPARTMENT,
BUFFALO, Sept. 16, 1861.

To the Hon. the Common Council:

The revision of the School Ordinances and their change in some important particulars, renders it necessary that a new edition thereof should be printed. The ordinances require that each teacher should be provided with one or more copies, and the demand for them is also considerable from other sources. It has been usual to print a separate edition for these purposes, and I recommend that an edition of at least 2,000 copies should be ordered printed for the use of this Department.

Respectfully,

SANFORD B. HUNT, Sup't of Schools.

N. B. Expense $90,00.

Referred to the Committee on Schools.

FURTHER FROM THE SUPERINTENDENT OF SCHOOLS.

SCHOOL DEPARTMENT,
Buffalo, Sept. 16, 1861.

To the Hon. Common Council:

Herewith I communicate the apportionment of the Library Money of the Public Schools for the year 1861. The list of books to be purchased, required by your late resolution, is not yet complete, owing to the absence of teachers from the city up to September 1st, and their pressing duties since that time. I shall be able to communicate it to the School Committee as soon as Thursday, and respectfully recommend that this communication, together with the whole subject of Library Money, be referred to the School Committee.

Respectfully,

SANFORD B. HUNT,
Superintendent of Schools.

APPORTIONMENT.

Library Fund		$1,166 25
Apportioned to purchase of text books for indigent children, and to incidental expenses	$ 154 65	
To purchase of library books	1,011 60	
		$1,166 25

Of the $1,011 60 there is apportioned to each District as follows:

Central School	$21 90
Public School No. 1	55 40
" " " 2	29 80
" " " 3	39 30
" " " 4	67 30
" " " 5	63 60
" " " 6	53 00
" " " 7	43 30
" " " 8	22 40
" " " 9	7 40
" " " 10	51 20
" " " 11	30 10
" " " 12	67 40
" " " 13	47 90
" " " 14	59 40
" " " 15	57 10
" " " 16	30 90
" " " 17	3 10
" " " 18	24 80
" " " 19	19 80
" " " 20	35 90
" " " 21	4 50
" " " 22	5 30
" " " 23	3 30
" " " 24	15 50
" " " 25	2 60
" " " 26	5 10
" " " 27	7 40
" " " 28	5 80
" " " 29	2 60
" " " 30	7 10
" " " 31	41 90
" " " 32	54 60
" " " 33	12 90
Total	$1,011 60

NOTE.—The above apportionment is made on the total registration of each School, averaging ten cents to each scholar registered.

Referred to the Committee on Schools.

FROM THE FIRE MARSHAL.

FIRE MARSHAL'S OFFICE,
BUFFALO, Sept. 16th, 1861.

To the Hon. Common Council:

GENTLEMEN:—My attention was called to a small addition being constructed in the rear of E. C. Blanchett's house on easterly side of Niagara street, between Carolina and Virginia streets I notified Blanchett to discontinue putting up the building, but afterwards I ascertained that he got permission from your honorable body in September, 1860.

I would respectfully recommend that permission be granted to E. C. Blanchett to finish his building.

D. KISSOCK, Fire Marshal.

Ald. Felton moved that said communication be received and placed on file, and that permission be granted to E. C. Blanchett to finish his building, as therein recommended. Carried Ayes, 14; Noes, 0.

The following described assessment rolls presented to the Council at its last meeting, and the consideration thereof postponed until to-day, were taken up:

No.	Amount ordered by Common Council.	Amount added by Assessors.	Total amount of Assessment.
2429—For constructing a stone crosswalk across Court street, on the westerly side of Pearl street	$ 100 00	$ 1 00	$101 00
2430—For repairing crosswalk across Locust street, on the northerly side of Cherry street	8 00	60	8 60
2431—For constructing a plank crosswalk across Pratt street, on the northerly side of William street	6 64	60	7 24
2432—For repairing the crosswalk across North Washington st., on the northwesterly side of Ferry street	5 76	50	6 26
2433—For constructing a plank crosswalk across Fifth street, on the southeasterly side of Virginia street	6 56	50	7 06
2434—For repairing the crosswalk across Spring street, on the north side of Clinton street	7 20	60	7 80
2435—For repairing the crosswalk across Goodell street, on the north side of Cherry street	7 00	50	7 50
2436—For reconstructing crosswalk across Franklin street, on the southerly side of Church street	75 00	60	75 60
2437—For repairing the stone crosswalk across Clinton street on the easterly side of Elm street	14 63	50	15 13
2438—For repairing the stone crosswalk across Clinton street on the westerly side of Michigan street	14 91	50	15 41
2439—For repairing the stone crosswalk across Swan street, on the westerly side of Elm street	20 00	50	20 50
2440—For constructing a plank crosswalk across Clinton street on the easterly side of Smith street	8 32	50	8 82
2441—For repairing the plank crosswalk across Cedar street, on the northerly side of Clinton street	7 20	50	7 70
2442—For reconstructing a plank crosswalk across Spring street, on the southerly side of North Division street	6 88	75	7 63
2443—For reconstructing a plank crosswalk across Cedar street, on the norh side of North Division street	7 72	75	8 47
2444—For reconstructing plank crosswalk across Carlton street on the easterly side of Elm street	6 88	50	7 38
2445—For repairing the plank ross walk across Fulton street, on the westerly side of Hamburgh street	7 84	50	8 34
2446—For repairing the plank crosswalk across Grosvenor street, on the northerly side of South Division street	7 74	75	8 49
2447—For reconstructing a plank crosswalk across Allen street, on the easterly side of Delaware street	7 68	75	8 43
2448—For constructing a plank crosswalk across Tupper street, on the north-westerly side of Carolina street	8 64	75	9 39
2449—For constructing a plank crosswalk across Jefferson street, on the southerly side of Batavia street	9 96	50	10 46
2450—For constructing a plank crosswalk across Forest Avenue, on the easterly side of Niagara street	5 60	60	6 20
2451—For repairing sidewalk on the south side of Green street, between Washington and Michigan streets	27 82	62	28 44
2452—For repairing the plank sidewalk on the easterly side of Jefferson street, between North Division and Eagle streets	8 68	50	9 18
2453—For constructing a stone sidewalk on the southeasterly side of Virginia street, between the present walk on Niagara street and the curbing on the southeast corner of Niagara and Virginia streets	5 00	50	5 50

2454—For repairing the plank sidewalk on the southwest side of Palmer street, between Hudson and Maryland ssreet.....	20 29	61	20 90
2455—For repairing the plank sidewalk on the west side of Michigan street, between Sycamore and Batavia streets....	26 40	70	27 10
2456—For repairing plank sidewalk on the westerly side of Hickory street, between Batavia and Sycamore streets....	5 90	50	6 40
2457—For repairing plank sidewalk on the westerly side of Spring street, between Sycamore and Genesee streets....	16 00	50	16 50
2458—For repairing plank sidewalk on the southeast side of Genesee street, between a point 250 feet northeasterly from Herman street and a point 150 feet northeasterly therefrom.	13 88	32	14 20
2459—For repairing plank sidewalk on the northerly side of Genesee street, between Oak and Elm streets.....	11 20	30	11 50
2460—For repairing plank sidewalk on the west side of Elm street, between Tupper and Goodell streets.....	17 76	30	18 06
2461—For reconstructing a plank sidewalk on the southeast side of Lloyd street, between the westerly line of Canal street and the easterly line of Prime street.....	29 84	50	30 34
2462—For repairing the sidewalk on the southerly side of Ohio street, between Main and Washington streets.....	7 00	50	7 50
2463—For repairing the sidewalk on the east side of Kinney street, between Seneca and Folsom streets.....	8 96	44	9 40
2464—For repairing the sidewalk on the easterly side of Hickory street, between William and Batavia streets.....	12 96	60	13 56
2465—For repairing plank sidewalk on the northwest side of Maryland street, between Tenth and Cottage streets....	17 60	50	18 10
2467—For repairing plank sidewalk on the easterly side of Walnut street, between Eagle and Clinton streets.....	16 80	30	17 10
2469—For repairing and maintaining the public well and pump No. 80, located at the corner of Mortimer and Genesee streets.....	12 00	1 50	13 50
2470—For repairing and maintaining the public well and pump No. 126, located at the corner of Niagara and Hudson streets	5 00	1 25	6 25
2471—For constructing and maintaining a public well and pump near the northwest corner of Michigan and Carlton streets.....	311 00	2 00	313 00
2473—For grading and paving Niagara street, from the nortnerly line of Amherst street to the northerly line of Hamilton street.....	2825 14	2 86	2828 00
2476—For repairing Delaware street, between Chapin and Amherst street.....	49 25	50	49 75
2477—For repairing Massachusetts street, between Tenth and Fourteenth streets	23 97	85	24 82
2478—For grading and working Franklin street, from Chippewa street to Tupper street.....	75 00	1 45	76 45
2479—For repairing Jefferson street, between South Division and Clinton streets.....	39 50	1 00	40 50
2481—For constructing a receiver in the Emslie street sewer, at a point where it crosses the bed of the Little Buffalo Creek, between Seneca and North Canal streets.....	46 60	1 40	48 00
2482—For reconstructing a sewer and receiver at the southeast corner of Hickory and Cherry street.....	26 54	96	27 50
2483—For repairing sewer and receiver at the northwest corner of North Division and Jefferson streets	14 29	1 21	15 50
2484—For repairing the sewer and receiver at the northwest corner of Batavia and Elm streets	12 63	1 00	13 63
2485—For repairing the sewer and receiver at the southwest corner of Seneca and Van Rensselaer streets.....	13 85	66	14 51
2486—For repairing the sewer and receiver at the southwest corner of Batavia and Elm streets	16 19	46	16 65
2487—For repairing the sewer and rsceiver at the northwest corner of Eagle and Union streets	15 68	85	16 35
2488—For repairing wood culvert across Dearborn street, between Farmer and Austin streets	3 45	55	4 00
2489—For constructing a wood culvert across Locust street, on the northerly side of Cherry street	12 60	1 00	13 60

2491—For repairing the wood culvert across Forest avenue, about 1700 feet west of Delaware street	7 65	50	8 15
2492—For repairing the wood culvert across Forest avenue, on the westerly side of Delaware street	4 79	50	5 29
2493—For constructing a wood culvert across Fulton street, on the easterlyside of Alabama street	8 00	1 00	9 00
2494—For reconstructing the wood culvert across Carlton street, on the westerly side of Mulbury street	8 00	75	8 75
2495—For repairing the wood culvert across York street, on the southerly side of Fourteenth street	7 75	30	8 05
2496—For repairing the gutter on the southeasterly side of Genesee street, between Ash and Spruce streets	10 00	50	10 50
2497—For constructing a dry stone wall back of the south abutment of bridge across Scajaquada Creek, on Niagara street	200 00	15 00	215 00
2498—For securing the north abutment of the bridge across Scajaquada Creek, on Niagara street	148 75	15 00	163 75

On motion, the consideration of the said several rolls was further postponed until the next meeting of the Council.

Assessment Roll No. 2,468. For repairing the sidewalk on the southerly side of Eagle street, between Spring and Jefferson streets, amount $15 62, the time for the consideration of which, and the hearing of parties interested in the same, had been fixed for to-day, was then taken up.

Ald. Dayton moved that parties interested in said assessment roll be now heard. Carried.

No person appearing to object to the confirmation of said roll—

Ald. Adams moved that same be confirmed. Carried.

Assessment Roll No. 2,397. For repairing and maintaining the public well and pump at the corner of Sycamore and Pratt streets, amount $262 00, the time for the further consideration of which had been fixed for to-day, was taken up.

Ald. Dayton moved that the consideration of said roll and the hearing of parties interested, be postponed until next Monday afternoon, Sept. 23d, 1861. Carried.

Aldermen Grass and Savage here appeared and took their seats

PETITIONS.

Of sundry persons, to have Wm. Hewson appointed Supervisor of the 13th Ward. Referred to the Committee on Schools.

Of George Parr, for permission to erect wooden building on the corner of Court and Hospital streets.

Of J. C. Clifford, for same at south-east corner of Georgia street and Erie Canal. Referred to Committee on Fire.

Of sundry persons, for the release of Michael Callahan from confinement in the Erie County Penitentiary.

Of Jerome B. Shumway, to have fine and costs imposed on him, for arresting John Hogan, paid by the City. Referred to the Committee on Police.

Of Anton Seekler, for license to sell fresh meat at the corner of Genesee and Elm streets. Referred to the Committee on License.

REMONSTRANCES.

Of W. E. Ficken, against the construction of a wooden addition to house No. 182 Niagara street, owned and occupied by E. C. Blanchett. Referred to the Committee on Fire.

ACCOUNTS REFERRED.

Ellen Moran, for cleaning School House No. 7. Referred to Committee on Schools.

Wm. Taylor, for hose for Fire Department.

Henry Swartz, for labor and materials for Fire Department. Referred to the Committee on Fire.

Hart, Ball & Hart, for plumbing at City Buildings. Referred to Committee on Claims.

Jas. VanValkenburgh, for commitments to the Penitentiary. Referred to Committee ou Police.

Hart, Ball & Hart, for plumbing at Court House Park.

Same, for same at Johnson's Park. Referred to the Committee on Public Grounds.

REPORTS OF COMMITTEES.

Ald Wheeler, from the Committee, on Schools reported in favor of the adoption of the following resoiutions:

That James C. Beecher be and is hereby appointed a Commissioner of Deeds in and for the city of Buffalo, to fill the vacancy occasioned by the removal of H. H. Matteson from the city. Adopted.

Also in favor of allowing the following accounts and of drawing orders for the same:

W. Chase & Son, for repairing Chair for School House No. 9—$0 50.

Same, for settees for Central School—$89 00.

Same, for desks for School House No. 1—$25 00.

Same, for desks and seats for School House No. 5—$51 00.

Same, for Teacher's desk for School House No. 7—$24 00.

Same, for chairs for School House No. 8—$2 50.

Same, for desks for School House No. 10—$17 50.

Same, for desks for School House No. 13—$7 50.

Same, for chairs and tables for School House No. 18—$17 00.

Same, for desk and chair for School House No. 20—$7

Same, for chair for School House No. 26—$2 50.

Same, for chairs, &c., for School House No. 28—$5 00.

Same, for recitation seats for School House No. 31—$6 00.

Wesley Emmons, for new roof, floor, &c., for School House No. 7—$492 41.

Same, for labor and material for School House No. 10—$287 00.

Wesley Emmons; to apply on account for labor, &c., a sundry schools—$186 58.

D. Taylor for sundries for Schools—$20 08.

D. Clinton Hicks for engraving Diplomas for Central School—$1 00.

William H. Peabody for chemicals for Central School—$11 47.

Harriet J Patterson for amount paid for cleaning School House No. 17—$1 00

N. H. Barnes for repairs to School House in District No. 8, charged at $162 45, allowed at $158 28.

Same for repairing desk in same—$1 13. Adopted.

Also reported in favor of the adoption of the following resolution:

That Edwin C. Robbins be and he is hereby appointed Commissioner of Deeds for the city of Buffalo in place of E. G. Luce, who has removed from said city. Adopted.

Ald. Brush from the Committee on Sewers reported in favor of allowing the following accounts, and of drawing orders for the same.

George Miller for repairing the sewer in Carroll street about 586 feet east of Washington street—$7 98.

George Miller for repairing sewer and receiver at the northeast corner of Prime and Commercial streets—$5 70. Adopted.

Also, in favor of the adoption of the following resolution:

That the Common Council of the city of Buffalo intend to order a brick sewer constructed 3 feet diameter in the clear, with walls 8 inches thick, in the side-walk on the northerly side of Batavia street, from the sewer in the centre of Earslie street westerly to the easterly line of Jefferson street, and that the City Clerk cause the necessary notice of such intention to be duly published in the city paper, and that the City Surveyor ascertain the length and depth of excavation in earth and rock necessary to construct said sewer, and report a profile of the same to this Council. Adopted

Ald. Adams here left the council chamber.

Ald. Yaw here appeared and took his seat.

Ald. Yaw, from the Committee on Fire, reported in favor of allowing the following accounts, and of drawing orders for the same:

Wm. I. Williams, for repairs to house of Eagle Hose Co. No. 2—$4 92.

Same, for lumber, &c., for Fire Department, charged at $15 07, allowed at—$15 17.

F B Scott, for painting for Fire Department—$6 00 Adopted.

Ald. Rutter and Beckwith here appeared and took their seats.

Also, in favor of the adoption of the following resolutions:

That permission be and is hereby granted to Wm. F. Miller to erect a frame addition, and raise a wooden building, on the east side of Morgan street, about 100 feet south of Niagara street, the same to be done under the direction of the Fire Marshal, and subject to the further order of this Council. Adopted—Ayes, 16; Noes, 0.

That permission be and is hereby granted to Francis Fisher to remove a frame building from the west side of Michigan street, 200 feet north of Tupper street, to the west side of Elm street, 275 feet north of Tupper street, under the direction of the Street Commissioner, and subject to the further order of this Council. Adopted. Ayes, 16; Noes, 0.

That the Fire Marshal be and he is hereby directed to contract with Ach & Stor to furnish three hose cart harnesses at a price not exceeding $23, and the harness to be equal in every respect to the one now in use by this city. Adopted.

That permission be, and is hereby granted to C. C. Wells to erect a wooden shed or stable, fifteen by twenty feet square, and ten feet high, in the rear of his house No. 371 Franklin street, such building to be completed within three months of the passage of this resolution, and to be built under the direction of the Fire Marshal, and subject to the further order of this Council. Adopted. Ayes, 17; Noes, none.

That permission be, and is hereby granted to Frederick Trankle to erect an addition to his house on Seventh street, west of Georgia street, such addition to be completed within three months of the passage of this resolution, and to be built under the direction of the Fire Marshal, and subject to the further order of this Council. Adopted. Ayes, 16; Noes, none.

That an order for $276 be drawn in favor of William Taylor on the General Fund, 1861; Fire Department, in full for contract for furnishing leather hose for the Fire Department. Adopted.

Ald. Dayton, from the Committee on Claims, reported in favor of allowing the following account, and of drawing an order for same:

Samuel Pearce, for awnings for City Buildings—$15. Adopted.

Ald. Mills from the Committee on Police, reported in favor of allowing the following accounts, and of drawing orders for the same.

Hamlin & Mendsen for sundries for Chief of Police, allowed at $68 74.

Geo. B. Mitchell for commitments to the Penitentiary—$25 50.

Charles H. Coleman for sundries for Police Department—$4 68.

Benjamin Toles for commitments to Penitentiary—$11 63.

D. S. Reynolds for same—$20 25.

B. Toles for same—$12 75.

Ann Tracy for cleaning Police	Station	No. 1—$10 00.
Bridget Holland for cleaning	do	No. 2—$6 00.
Ann Stoup for cleaning	do	No. 3—$8 00.
John Foegan for cleaning	do	No. 4—$6 00.

Adopted.

Also in favor of the adoption of the following resolution.

That the Committee on Police advertise six days in the city paper for proposals for furnishing wood for the various Police Stations for the year, commencing October 1st, 1861. Adopted.

That His Honor the Mayor be requested to detail for day duty, sufficient number of Policemen to enforce all ordinances in relation to street hawking and peddling. Adopted.

Ald. Russell, from the Committee on License, reported in favor of authorizing his Honor the Mayor, to grant licenses to the following named persons, to sell fresh meat at the various places hereinafter mentioned, viz:

Lewis Klein, on corner Tupper and Carolina streets.

James S. Wilds, on corner Vermont and Massachusetts streets.

Louis Rosst, on north-east corner of Batavia and Adam streets.

George Vine, on corner Niagara and Pennsylvania streets.

John Hampery, on north-east corner Niagara and Huron streets.

Christian Miller, on southwest corner Batavia and Hickory streets.

Chas. Brugard, to peddle by the whole or quarter in the city.

Frank Tomer, same.

Peter Bready, on north-east corner Hickory and Clinton streets.

Conrad Garbrath, to peddle meats. Adopted.

Ald. Savage, from the Committee on Sanitary measures, reported in favor of allowing the following accounts, and drawing orders for same:

Wm. Miller, for services as keeper of Pest House, and sundries furnished patients during month of July—$94 33.

Wm. H. Peabody, for medicines, &c., for Pest House—$24 12. Adopted.

Ald. Crowder, from the Committee on New Territory, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause the wood culvert across East street, on the southeasterly side of Austin street, to be repaired at an expense not exceeding $6, and report. Adopted.

That the Street Commissioner cause the wood culvert across Eleventh street, on the southeast side of Massachusetts street, to be repaired at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause the wood culvert across Barton street, on the southeast side of Ferry street, to be repaired at an expense not exceeding $5, and report. Adopted.

That the Street Commissioner cause the Williamsville Road, between Delevan Avenue, and the first plank road running southerly therefrom, to be repaired by filling holes at an expense not to exceed $15, and report. Adopted.

That the Street Commissioner cause the plank cross walk across Massachusetts street, on the northeast side of Tenth street, to be repaired at an expense not exceeding $8, and report. Adopted.

That the City Assessor assess $25 92 for constructing a plank sidewalk on the northeast side of Fourteenth street, between Vermont and Rhode Island streets. Adopted

That the owners of land on the northeasterly side of Ninth street, between York and Vermont streets, cause a sidewalk to be repaired in front of their respective lots, 4 feet wide, by substituting good new hemlock plank, where necessary, within ten days; and if not done within that time, that the Street Commissioner cause the same to be done, at an expense not exceeding $80, and report. Adopted.

That the owners of land on the northeasterly side of Ninth street, between Vermont and Rhode Island streets, cause a sidewalk to be repaired in front of their respective lots, 4 feet wide, by substituting good new hemlock plank three inches thick, where necessary, within ten days; and if not done within that time, that the Street Commissiener cause the same to be done, at an expense not exceeding $50, and report. Adopted.

That the owners of land on the westerly side of Niagara street, between a point 100 feet southerly from Breckinridge street and a point 70 feet southerly therefrom, cause a sidewalk to be repaired in front of their respective lots, by substituting good new pine plank 2 inches thick, where necessary, within ten days; and if not done within that time, that the Street Commissioner cause the same to be done, at an expense not exceeding $15, and report. Adopted.

That the owners of land on the northwest side of Vermont street, between Niagara and Sixth street, cause a sidewalk to be repaired in front of their respective lots 4 feet wide, by substituting new plank 3 inches thick, and levelling the same where necessary, within ten days; and in case the same, or any portion thereof, is not done in that time, that the Street Commissioner cause the same to be done at an expense not exceeding $95 00, and report. Adopted.

Also reported in favor of directing the City Assessors to make assessments as follows:

Assess $38 60 for extending culvert across Niagara st., at Brace st. Adopted.

Assess $78 73 for extending culvert across Niagara street between Sloan street and Clinton Avenue. Adopted.

Also in favor of allowing the account of William Farmer, Jr., for repairing the bridge across Scajaquada Creek on Delaware street, in July, 1861—amount, $7 10, and of drawing an order for same. Adopted.

Also in favor of directing the City Assessors to assess $49 77 for repairing bridge over a ravine on Clinton street, about 200 feet westerly from B. & N. Y. Central R. R. (between the R. R. and Bond street.) Adopted.

Also in favor of the adoption of the following resolution:

That the Common Council of the City of Buffalo intend to order the sewer in Albany street, between Niagara street and the Erie Canal, repaired; and that the City Clerk cause the necessary notice of such intention to be published. Adopted.

Ald. Howard here appeared and took his seat.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Brush—

Resolved, That so much of the sewer in Louisiana street, at and near the Main and Hamburgh Street Canal, as is constructed of wood, be taken up and relaid with brick and water lime cement, and that said sewer on both sides of said Canal be extended through and connected with the stone abutments for the bridge now in process of construction across the Main and Hamburgh Street Canal, on Louisiana street, and that the Street Commissioner is hereby authorized and directed to cause the same to be done at an expense not exceeding $100, and report to this Council; and so much of the resolution passed July 22d, 1861, in relation to extending said sewer as conflicts with this order, and limits the expense for said extension at $50, be and the same is hereby repealed. Adopted. Ayes 18; Noes 0.

By Ald. Dayton—

Resolved, That it is hereby ordered that a brick sewer be constructed 18 inches diameter in the clear, with walls 8 inches thick and laid in water lime cement, in the cen-

tre of Hamilton street, from the easterly curb line of Niagara street to the Erie Canal, and that the City Surveyor is hereby directed to ascertain the length and depth of excavation in earth or rock necessary to lay said sewer, and report the same to this Council. Adopted. Ayes, 18; Noes, none.

By Ald. Crowder—

Resolved, That it is hereby ordered that Downing street be made by working the same, from lots Nos. 264 and 265 to the Buffalo and White's Corners Plank Road, and that the Street Commissioner is hereby authorized and directed to contract with Joseph A. Bridges for making said street, in accordance with the specifications for doing the same, at a sum not exceeding $174 17-100, said Bridges being the lowest bidder. Adopted. Ayes, 18; Noes, none.

By Ald. Crowder—That the City Assessors be directed to assess $174 17 for making Downing street, from lots 264 and 265 to the Buffalo and White's Corners plank road. Adopted.

Ald. Allen moved that the Council do now adjourn to meet next Wednesday afternoon at 2 o'clock.

Ald. Savage moved, as an amendment, to make the time next Monday at 2 o'clock, instead of Wednesday. Carried.

And the motion of Ald. Allen as so amended was then carried.

The following resolutions, remaining on the Clerk's desk at the adjournment of the Council, were referred by him to their appropriate committees, as follows:

That Cedar street be repaired, by filling holes between Batavia street and a point 300 feet southerly therefrom.

That Fifth street be repaired, by filling holes between Court street and a point 100 feet northerly therefrom.

That the wood culvert across Hickory street, on the northerly side of Sycamore street, be repaired. Referred to Committee on Streets.

That the sidewalk on the westerly side of Fourth street, from Court street to a point 150 feet northerly therefrom, be repaired.

That the sidewalk on the northerly side of Lock street, between the Erie Canal and Cazenovia Terrace, be repaired.

That the sidewalk on the south side of Seneca street, between Hydraulic and Van Rennsaalaer streets, be repaired.

That the sidewalk on the south side of North Division street, between Pine and Cedar streets, be repaired.

Thatthe sidewalk on the northerly side of North Canal street, between Swan and Emslie streets, be repaired.

That the sidewalk on the southerly side of Lock street, between Erie street and the Terrace, be repaired.

That the sidewalk on the southerly side of the Cazenovia Terrace, between Lock and Seneca streets, be repaired.

That the sidewalk be repaired on the north side of Hinckley street, between Spring and Mortimer streets.

That the crosswalk across North Canal street, on the northerly side of Swan street, be repaired. Referred to Committee on Side and Crosswalks.

That the Street Commissioner put the well at the corner of Sycamore and Pratt streets in a condition to furnish wholesome water.

That the pump be removed from well corner of William and Jefferson streets. Referred to Committee on Water.

That the Street Commissioner cause the Liberty Pole in front of the Clinton Market, to be painted. Referred to Committee on Markets.

That the bridge on Clinton street, 100 feet east of the Williamsville Road, be repaired.

That the bridge on Clinton street, about 50 feet easterly of the Williamsville Road, be repaired.

That a sidewalk on the westerly side of Niagara street, between Hamilton and Austin streets, be repaired.

That a plank crosswalk across Farmer street, on the easterly side of Niagara street, be repaired.

That a receiver and sewer be constructed on the southeast corner of North Washington and Breckenridge streets.

That a receiver and sewer be constructed on the southeast corner of Porter and Breckenridge streets.

That a receiver and sewer be constructed on the northeast corner of North Washington and Breckenridge streets.

That the wood culvert across Vermont street, on the westerly side of Thirteenth street, be repaired.

That the wood culvert across Blossom street, on the easterly side of the Military Road, he repaired.

That the wood culvert across Dearborn street, on the southeast side of Hamilton street, be repaired.

That a wood culvert across Bird street, on the easterly side of the Military Road, be constructed.

That the wood culvert across North Washington street, on the southeast side of Ferry street, be repaired.

That Fifth street be repaired between York and Connecticut street.

That Amherst street be repaired between the State Ditch and Howell street.

The Common Council adjourned to meet next Monday afternoon, Sept. 23d, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 33.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Sept. 23, 1861,
At 2 o'clock P. M.

Present—Ald. Adams, Beckwith, Brush, Crowder, Dayton, Felton, Goembel, Hannovan, Jones, Palmer. Russell Savage, Scheu, Storck, Swartz, and Yaw.

Absent—Ald. Allen, Bemis, Dorr, Grass, Howard, Mills, Pratt, Rutter, Walsh and Wheeler.

In the absence of the President Ald. Yaw was called to the Chair.

The minutes of the last meeting were approved.

Ald. Dorr here appeared and took his seat.

COMMUNICATIONS FROM THE MAYOR.

MAYOR'S OFFICE,
BUFFALO, September, 23, 1861.

To the Hon. Common Council:

GENTLEMEN:—I have caused the following notice to be published, and inform your Honorable body, that you may take such measures as will tend to assist in the general observance of Thursday next as a day of fasting, humiliation and prayer

MAYOR'S OFFICE,
Buffalo, Sept. 23, 1861.

The President having recommended the last Thursday in September as a day of public humiliation, fasting and prayer, to be observed by the people of the United States, with religious solemnities, and the offering of fervent supplications to Almighty God for the safety and welfare of these States.

And the Governor having by proclamation united with the President in recommending that the day be carefully observed by the people of this State, and that on that day they abstain from their usual duties and avocations.

And acknowledging the neessity of appealing to our Heavenly Father for his protection, and humbly avowing our dependence upon him for our national existence, and feeling sensibly the importance of a united observance of this day of fasting. I have deemed it proper to more particularly invite the attention of my fellow citizens thereto, and earnestly advise that they obey the requests of the President of the United States and of the Governor of this State.

F. A. ALBERGER, Mayor.

Laid on the table temporarily.

The President here appeared and took his seat.

Said communication was subsequently taken up.

Whereupon Ald. Howard offered the following:

Resolved, That this Council take especial pleasure in uniting with His Honor the Mayor in recommending to our fellow citizens a devout and becoming observance of the day of humiliation, fasting and prayer, recommended by their Excellencies the President of the United States and the Governor of our State; and it is hereby recommended to the city officers, that the public offices be closed during the entire day; and it is hereby also directed that the public markets be closed on that day at 10 o'clock A.M., and kept closed for the remainder of the day; and we earnestly recommend to our citizens to keep their respective places of business closed during the day, and that they appropriately observe the very fitting recommendations of the said Proclamations. Adopted unanimously.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

GENTLEMEN.—On the 1st proximo there will be due Josiah Barnes $25, Cook and Lyttle $12 50, and to N. Case $16 25, being for rent of rooms occupied by the Chief of Police, and I would recommend that orders be drawn in their favor, respectively, for the above amounts on the General Fund, 1861, Police Department, in full payment thereof

I also report that there will be due on the said 1st day of October. James F. Chard, Deputy Comptroller, $66 67; James Ingli's, book-keeper, $58 33, Louis L. Trowbridge and W. H. Brooks. clerks in this office, each $45, salary for the month of September; W. H. Slade's connection with this office ceased on the 15th inst, and there is due him $22 50, for services as clerk to that time, being for the present month.

I recommend that orders be drawn on the General Fund, 1861, Comptroller's Department, in favor of the persons above named, in full payment of such salaries, and that all orders asked for in this communication be delivered on and after said 1st day of October.

ALONZO TANNER, Comptroller

Ald. Hannovan, moved that such communication be received and filed, and that orders be drawn as recommended. Carried.

The Comptroller also reported the amounts due the Judges of the Superior Court, the several City officers and the Aldermen, for salary for quarter ending Sept. 30th, and recommended that orders be drawn for same, to be delivered on or after the 1st of October. Filed and orders directed to be drawn.

Ald. Howard here appeared and took his seat.

FROM THE STREET COMMISSIONER.

The undersigned reports the following repairs made and works completed in accordance with directions of your Honorable Body, at the expense severally as hereinafter named, to wit:

ON STREETS.

Culvert repaired across Eleventh street on the southeasterly side of Maryland street—$5 74.

Eagle street repaired between Oak and Elm streets—$1 49.

Cuvert reconstructed across Cherry street, at the intersection of Spring street—$9 01.

Culvert repaired across Tenth street, on the northerly side of Virginia street—$5 57. Referred to Committee on Streets.

ON SIDE AND CROSSWALKS.

Crosswalks repaired across Virginia street on westerly side of Tenth street—$5 00.

Crosswalk repaired across Chippewa street on the westerly side of Ellicott street—$4 88.

Sidewalk constructed on the westerly side of Oak street, between the southerly side of Virginia street (so called) and Carlton street—$100 00.

Sidewalk constructed on the westerly side of Oak street, between High and Carlton streets—$32 80. Referred to Committee on Side and Crosswalks.

ON SEWERS AND RECEIVERS.

Sewer and receiver constructed at the southwest corner of Michigan and High streets—$68 83

Sewer and receiver repaired on the north side of Exchange street, opposite Beak street—$5 44.

Sewer and receiver repaired at the southwest corner of Chippewa and Ellicott streets—$5 47.

Receiving sewer repaired on the northerly side of Seneca street, opposite Heacock street—$4 35

Sewer reconstructed at the northeast corner of South Division and Michigan streets—$9 13. Referred to Committee on Sewers.

IN THE NEW TERRITORY.

Culvert repaired across William street, about 40 rods west of the Buffalo, New York and Erie Railroad track—$8 89.

Niagara street repaired and roadway planked therein from the northerly line of Hamilton street to the center of Bird street, by contract—$977 76.

Culvert repaired across Tenth street, on westerly side of Vermont street—$5 75.

Culvert repaired across Vermont street, on the southwest side of Fourteenth street—$7 82. Referred to Committee on New Territory.

ON NUISANCES.

Nuisance abated on ground fronting on the east side of Walnut street, being 27 feet front and rear, by 106 feet deep, commencing 155 feet south from Sycamore street—$35 62.

L. J. WATERS, Street Commissioner.

Referred to Committee on Sanitary Measures.

FURTHER FROM THE STREET COMMISSIONER.

By the direction of the Special Committee on Black Rock Parks, the undersigned have caused the ground on Sixth street, known as Market Square, to be levelled, and in doing the same have employed the following named persons the number of days, at the prices severally as hereinafter named, and recommend that orders be drawn on the fund for improving said ground, in favor of the said several persons for the amount due each as follows:

James Fitzgerald, 4 days at 6s			$3 00
Timothy Malharis	2	do	1 50
Laurence Ryan,	8½	do	6 88
Phillip Shaw,	3	do	2 25
John Fisher,	3	do	2 25
David Walker, Jr, 7½ days team work, at 20s			$18 75
Same, for 5 days labor, at 12s			7 50—$26 25

L. J. WATERS, Street Commissioner.

Referred to the Committee on New Territory.

FROM THE CITY SURVEYOR.

In compliance with your order of September 16th, I submit the following grade and annexed profile of a sewer in Hamilton street, from a point four feet east of the east curb line of Niagara street to the Erie Canal.

Commencing at a point four feet east of the easterly curb line of Niagara street, at an elevation of 2.54 feet above the base line of levels thence westerly along the centre line of Hamilton street, falling 1.00 foot per 100 feet, for a distance of 154 feet; thence continuing along said centre line falling 6.50 feet per 100 feet, for a distance of 100 feet, to an elevation of 5.50 feet below the base line of levels

The length of the proposed sewer is 254 feet.

The average depth of excavation is 9 feet.

PETER EMSLIE, City Surveyor.

Referred to Committee on New Territory.

FURTHER FROM THE CITY SURVEYOR.

In compliance with your order of September 16th, I submit herewith the following grade and profile of a sewer in the northerly sidewalk of Batavia street, from the sewer in Emslie street to the easterly line of Jefferson street.

Commencing at a point in the Emslie street sewer where it terminates in the northerly sidewalk of Batavia street, at an elevation of 21.30 feet above the base line of levels; thence rising 0 25 feet per 100 feet southwesterly along the northerly sidewalk of Batavia street, for a distance of 1,331 feet, to the east line of Jefferson street, at an elevation of 24.73 feet above the base line of levels.

The total length of sewer is 1,881 feet.

The average depth of excavation is 10 feet.

The amount of rock excavation is 50 cubic yards, and is determined from the depth of the wells near the proposed sewer and the test pits dug for the sewer on the opposite side of the street.

PETER EMSLIE, City Surveyor.

Referred to Committee on Sewers.

Ald. Wheeler here appeared and took his seat.

The City Treasurer reported the amount due to the clerk employed in his office for services for the month of August. Also the amount due Mr. John Mather for services to Aug. 24th in his office, and recommended that orders be drawn for same.

Ald. Stork moved that such communication be filed and orders drawn as recommended. Carried.

The Fire Marshal reported the amounts due the several employees of the Fire Department for their respective services in the month of September, and recommended that orders be drawn for the same, to be delivered October 1st.

Ald. Yaw moved that orders be drawn as recommended. Carried.

The City Clerk reported the amounts due the employees in his office for services during the month of September. Also the amount due the keeper of the Pest-house for the same month, and recommended that orders be drawn for same.

Ald. Swartz moved that orders be drawn as recommended. Carried.

The City Clerk also reported that at a meeting of the Board of Health, held Saturday, Sept. 21st, 1861, the following accounts were presented to and audited by said Beard, and by them referred to this Council, with a request that provision be made for the payment of the same, viz:

Hugh Battel, for 19¼ cords of hard wood for Pest House at $3 65—$70 26.

Erie Ice Co., for ice for Pest House, from July 1st to August 10th—$2 06. Referred to Committee on Sanitary Measures.

The City Clerk also reported that at the same meeting of said Board, the following nuisances were reported to the Board and by them referred to the Common Council with a request that the same be abated, as hereinafter mentioned, viz:

1—Lot on the northeasterly side of Sixth street, 100 feet southerly from Hudson street, being 175 feet front by 182½ feet deep, assessed to Mary M. Bird. Nuisance consists of standing water. Recommend to abate by filling.

2—Lot on the southwest corner of Hudson and Sixth streets, being 100 feet front on Sixth street by 182½ feet deep on Hudson street. Nuisance consists of standing water. Recommend to abate by filling.

By unanimous consent, Ald. Felton offered the following resolutions:

That the ground fronting on the northeasterly side of Sixth street, being 175 feet front and rear, by 182½ feet deep, and commencing 100 feet southerly from Hudson street, is hereby declared to be unwholesome by reason of standing water in a filthy condition thereon; and it is hereby ordered and determined that the owner or owners of said ground cause same to be drained or filled so that the said lot shall not be unwholesome; and in case the same is not done within three days after notice published in the city paper to do the same, then the Street Commissioner is hereby directed immediately to cause the same to be done, and report. Adopted. Ayes, 20; Noes, 0.

Ald. Allen here appeared and took his seat.

That the ground fronting on the southwest corner of Hudson and Sixth streets, being 100 feet front on Sixth street by 182½ feet deep on Hudson street, is hereby declared to be unwholesome by reason of standing water in a filthy condition thereon, and it is hereby ordered and determined that the owner or owners of said ground cause same to be drained or filled so that said lot shall not be unwholesome; and in case the same is not done within three days after notice published in the city paper to do the same, then the Street Commissioner is hereby directed immediately to cause the same to be done and report. Adopted. Ayes, 21; Noes, 0.

The following described assessment rolls, the consideration of which had been postponed until to-day were taken up:

No.	Amount ordered by Common Council.	Amount added by Assessors.	Total amount of Assessment.
2429—For constructing a stone crosswalk across Court street, on the westerly side of Pearl street	$ 100 00	$ 1 00	$101 00
2430—For repairing crosswalk across Locust street, on the northerly side of Cherry street	8 00	60	8 60
2431—For constructing a plank crosswalk across Pratt street, on the northerly side of William street	6 64	60	7 24
2432—For repairing the crosswalk across North Washington st., on the northwesterly side of Ferry street	5 76	50	6 26
2433—For constructing a plank crosswalk across Fifth street, on the southeasterly side of Virginia street	6 56	50	7 06
2434—For repairing the crosswalk across Spring street, on the north side of Clinton street	7 20	60	7 80
2435—For repairing the crosswalk across Goodell street, on the north side of Cherry street	7 00	50	7 50
2436—For reconstructing crosswalk across Franklin street, on the southerly side of Church street	75 00	60	75 60
2437—For repairing the stone crosswalk across Clinton street on the easterly side of Elm street	14 63	50	15 13
2438—For repairing the stone crosswalk across Clinton street on the westerly side of Michigan street	14 91	50	15 41
2439—For repairing the stone crosswalk across Swan street, on the westerly side of Elm street	20 00	50	20 50
2440—For constructing a plank crosswalk across Clinton street on the easterly side of Smith street	8 32	50	8 82
2441—For repairing the plank crosswalk across Cedar street, on the northerly side of Clinton street	7 20	50	7 70
2442—For reconstructing a plank crosswalk across Spring street, on the southerly side of North Division street	6 88	75	7 63

2443—For reconstructing a plank crosswalk across Cedar street, on the norh side of North Division street	7 72	75	8 47
2444—For reconstructing plank crosswalk across Carlton street on the easterly side of Elm street	6 88	50	7 38
2445—For repairing the plank ross walk across Fulton street, on the westerly side of Hamburgh street	7 84	50	8 34
2446—For repairing the plank crosswalk across Grosvenor street, on the northerly side of South Division street	7 74	75	8 49
2447—For reconstructing a plank crosswalk across Allen street, on the easterly side of Delaware street	7 68	75	8 43
2448—For constructing a plank crosswalk across Tupper street, on the north-westerly side of Carolina street	8 64	75	9 39
2449—For constructing a plank crosswalk across Jefferson street, on the southerly side of Batavia street	9 96	50	10 46
2450—For constructing a plank crosswalk across Forest Avenue, on the easterly side of Niagara street	5 60	60	6 20
2451—For repairing [sidewalk on the south side of Green street, between Washington and Michigan streets	27 82	62	28 44
2452—For repairing the plank sidewalk on the easterly side of Jefferson street, between North Division and Eagle streets	8 68	50	9 18
2453—For constructing a stone sidewalk on the southeasterly side of Virginia street, between the present walk on Niagara street and the curbing on the southeast corner of Niagara and Virginia streets	5 00	50	5 50
2454—For repairing the plank sidewalk on the southwest side of Palmer street, between Hudson and Maryland street	20 29	61	20 90
2455—For repairing the plank sidewalk on the west side of Michigan street, between Sycamore and Batavia streets	26 40	70	27 10
2456—For repairing plank sidewalk on the westerly side of Hickory street, between Batavia and Sycamore streets	5 90	50	6 40
2457—For repairing plank sidewalk on the westerly side of Spring street, between Sycamore and Genesee streets	16 00	50	16 50
2458—For repairing plank sidewalk on the southeast side of Genesee street, between a point 250 feet northeasterly from Herman street and a point 150 feet northeasterly therefrom.	13 88	32	14 20
2459—For repairing plank sidewalk on the northerly side of Genesee street, between Oak and Elm streets	11 20	30	11 50
2460—For repairing plank sidewalk on the west side of Elm street, between Tupper and Goodell streets	17 76	30	18 06
2461—For reconstructing a plank sidewalk on the southeast side of Lloyd street, between the westerly line of Canal street and the easterly line of Prime street	29 84	50	30 34
2462—For repairing the sidewalk on the southerly side of Ohio street, between Main and Washington streets	7 00	50	7 50
2463—For repairing the sidewalk on the east side of Kinney street, between Seneca and Folsom streets	8 96	44	9 40
2464—For repairing the sidewalk on the easterly side of Hickory street, between William and Batavia streets	12 96	60	13 56
2465—For repairing plank sidewalk on the northwest side of Maryland street, between Tenth and Cottage streets	17 60	50	18 10
2467—For repairing plank sidewalk on the easterly side of Walnut street, between Eagle and Clinton streets	16 80	80	17 10
2469—For repairing and maintaining the public well and pump No. 80, located at the corner of Mortimer and Genesee streets	12 00	1 50	13 50
2470—For repairing and maintaining the public well and pump No. 126, located at the corner of Niagara and Hudson streets	5 00	1 25	6 25
2471—For constructing and maintaining a public well and pump near the northwest corner of Michigan and Carlton streets	311 00	2 00	313 00
2473—For grading and paving Niagara street, from the northerly line of Amherst street to the northerly line of Hamilton street	2825 14	2 86	2828 00
2476—For repairing Delaware street, between Chapin and Amherst street	49 25	50	49 75

2477—For repairing Massachusetts street, between Tenth and Fourteenth streets	23 97	85	24 82
2478—For grading and working Franklin street, from Chippewa street to Tupper street	75 00	1 45	76 45
2479—For repairing Jefferson street, between South Division and Clinton streets	39 50	1 00	40 50
2481—For constructing a receiver in the Emslie street sewer, at a point where it crosses the bed of the Little Buffalo Creek, between Seneca and North Canal streets	46 60	1 40	48 00
2482—For reconstructing a sewer and receiver at the southeast corner of Hickory and Cherry street	26 54	96	27 50
2483—For repairing sewer and receiver at the northwest corner of North Division and Jefferson streets	14 29	1 21	15 50
2484—For repairing the sewer and receiver at the northwest corner of Batavia and Elm streets	12 63	1 00	13 63
2485—For repairing the sewer and receiver at the southwest corner of Seneca and Van Rensselaer streets	13 85	66	14 51
2486—For repairing the sewer and receiver at the southwest corner of Batavia and Elm streets	16 19	46	16 65
2487—For repairing the sewer and receiver at the northwest corner of Eagle and Union streets	15 68	85	16 35
2488—For repairing wood culvert across Dearborn street, between Farmer and Austin streets	3 45	55	4 00
2489—For constructing a wood culvert across Locust street, on the northerly side of Cherry street	12 60	1 00	13 60
2491—For repairing the wood culvert across Forest avenue, about 1700 feet west of Delaware street	7 65	50	8 15
2492—For repairing the wood culvert across Forest avenue, on the westerly side of Delaware street	4 79	50	5 29
2493—For constructing a wood culvert across Fulton street, on the easterly side of Alabama street	8 00	1 00	9 00
2494—For reconstructing the wood culvert across Carlton street, on the westerly side of Mulbury street	8 00	75	8 75
2495—For repairing the wood culvert across York street, on the southerly side of Fourteenth street	7 75	30	8 05
2496—For repairing the gutter on the southeasterly side of Genesee street, between Ash and Spruce streets	10 00	50	10 50
2497—For constructing a dry stone wall back of the south abutment of bridge across Scajaquada Creek, on Niagara street	200 00	15 00	215 00
2498—For securing the north abutment of the bridge across Scajaquada Creek, on Niagara street	148 75	15 00	163 75

Ald. Howard moved to postpone consideration of such rolls until the next meeting of the Council, and that the City Clerk be directed to notify the City Attorney to fill with him his report in regard to the validity of such rolls. Carried.

Assessment roll No. 2397, for repairing and maintaining the public well and pump at the corner of Sycamore and Pratt streets, amount $262, the time for the consideration of which and the hearing of parties interested therein had been postponed until to-day was taken up.

Ald. Jones moved to lay said roll on the table to be taken up under order of reports of Committee on Water. Carried.

Assessment roll No. 2,472, for repairing Perry street, from Hamburgh street to a point, 300 feet easterly therefrom, amount $32 00, the time for the consideration of which, and the hearing of parties interested therein had been fixed for to-day, taken up.

Ald. Howard moved that parties interested in said roll be now heard. Carried.

Messrs. D. N. Clark and J. W. Fogerty addressed the Council in opposition to the confirmation of said roll.

Ald. Hanovan moved that said roll be annulled.

Ald. Howard moved that the further consideration of said roll, and the hearing of parties interested therein, be postponed for two weeks from to-day. Carried.

Assessment roll No. 2490, for reconstructing a stone culvert across Steele street, on the easterly side of Main street, amount $15 50, the time for the consideration of which and the hearing of parties interested therein had been fixed for to-day, was taken up.

Ald. Russell moved that parties interested in said roll, be now heard. Carried.

Wm. R. Coppock, Esq., addressed the Council in opposition to the confirmation of said roll.

Ald. Russell moved that said roll be referred back to the City Assessors for reconsideration. Carried.

PETITIONS.

Of John T. Tilley, for a declaration of sale on lot on the northwest side of Vermont street, lying on the easterly corner of Fourteenth street, being 49 feet front by 100 feet deep.

Of same, for same, on lot on the northeast side of Niagara street, lying 141½ feet southeast of Pennsylvania street, being 50 feet front by 125 feet deep.

Of Adam Rohner, for release from tax.

Referred to the Committee on Finance.

Of John Bush, for permission to erect a wooden building on the south side of the Main and Hamburgh Street Canal.

Referred to Committee on Fire.

Of Joseph Harris, for license to sell fresh meat by the quarter.

Of August Kumro, for license to sell fresh meat at corner of William and Madison streets.

Of Theobald Burgard, for same, at corner of Delaware and Tupper streets.

Of Joseph Smith, for same, on Clinton street, near Watson street.

Referred to Committee on License.

Of sundry persons, for repairing plank road on Genesee street, between Jefferson street and the Toll Gate.

Referred to the Committee on New Territory.

Petition of M. Wiedrich, and others, for the release of Christian Stock, Adam M. Smith, and Henry Weiser, from confinement in the Erie County Penitentiary.

Ald. Beckwith moved that the prayer of the petition be granted. Carried—Ayes, 18; Noes, 0.

Petition of J. P. McMahon and others, for the release of Michael Higgins from confinement in the Erie County Penitentiary.

Ald. Adams moved that the prayer of the petition be granted. Carried. Ayes, 19; Noes, 0.

Petition of John Hanovan, to have the action of the Common Council in disbanding the Live Oak Engine Co. No. 2, rescinded, and that the engine be restored to said Company.

Ald. Hannovan moved that the prayer of the said petition be granted. Carried. Ayes, 20; Noes, 0.

REMONSTRANCES.

Of W. E. Ficken, against erecting or finishing off frame dwelling at No, 182, Niagara street. Referred to the Committee on Fire.

A communication, was received from Geo. L. Marvin, secretary of the Batavia Street Plank Road Company, informing the Common Council of the surrender and abandonment by said Company of all that portion of their road lying west of the Gate House, erected by said Company at the junction of Walden street with Batavia street.

Referred to the Committee on Streets.

ACCOUNTS REFERRED.

Wesley Emmons, for sundry repairs for schools.

Bangasser & Bro., for lock on Mayor's office.

Lewis Baker, for brooms for schools.

Peter Beugard, for wood for schools.

W. H. Hasted for coloring walls, School No. 1.

M. Uhlman, for cleaning school house No. 18.

Peter Messner (4 acct's,)for desks for schools.

Referred to Committee on Schools.

W. I. Williams, for repairing culvert across Vermont street, on south-west side of Fourteenth street.

Same, for repairing wood culvert across Tenth street, on north-westerly side of Vermont street.

Same, for repairing wood culvert across William street, 40 rods west of the B. N. Y. & E. R. R.

Same, for repairing wood culvert across Tenth street, northerly side of Virginia street.

Same, for repairing wood culvert across Eleventh street southeasterly side of Maryland street.

F. Schelfer, for reconstructing culvert across Cherry street, at the intersection of Spring street.

Geo. Miller, for repairing Eagle street between Oak and Elm streets. Referred to Committee on streets.

John Wannop, for repairing receiving sewer on the northerly side of Seneca street, opposite to Heacock street.

Geo. Miller, for constructing sewer and receiver at the southwest corner of Michigan and High streets.

Same, for repairing sewer and receiver at the northerly side of Exchange street, opposite to Beak street.

Same, for repairing sewer and receiver at the southwest corner of Chippawa and Ellicott streets. Referred to Committee on Sewers.

Geo. Miller, for repairing cross-walk across Chippewa street, on the westerly side of Ellicott street.

W. I. Williams, for repairing cross-walk across Virginia street, on the westerly side of Tenth street.

Same, for constructing side-walk on the west side of Oak street,between the southerly line of Virginia street(so-called) and Carlton street. Referred to Committee on Side and Crosswalks.

E. Corning & Co. for hose for Fire Department.

H. Gardner, for straw for same.

L. & I. J. White, for axes for same.

J. F. Ellis, for hay for same.

Wm. H. Mason, for labor for same. Referred to Committee on Fire.

Hardiker & Toye(7 accts)for plumbing for various city offices. Referred to Committee on Claims.

Hardiker & Toye, for plumbling for Police Department.

D. S. Reynolds, for commitments to Penitentiary. Referred to Committee on Police.

Michael Herbts, for removing filth from Watson street.

Edwin Rose, for abating nuisance on east side of Walnut street, 155 feet south of Sycamore street. Referred to Committee on Sanitary Measures.

Farmer & Curry, for repairing Niagara street from northerly line of Hamilton street to centre of Bird street. Referred to Committee on New Territory.

REPORTS OF COMMITTEES.

Ald. Howard from the Committee Finance, reported in favor of the adoption of the following resolutions:

That the Comptroller be and he is hereby requested to report to this Council whether in his opinion, the work in his office cannot be done for the balance of the year with three clerks. Adopted.

That orders be drawn on the General Fund 1861 Comptroller's department in favor of—

James F. Chard, Deputy Comptroller for $66 66.

James Inglis, Book keeper for $58 33.

Wm. H. Slade, clerk, for $45.

Louis L. Trowbridge, clerk, for $45.

W. H. Brooks, clerk, for $45.

Being in full for services in the Comptroller's office for the month of August, 1861. Adopted.

That an order be drawn on the General Fund of 1861, City Attorney and Legal Expense Department, for $75 78 —in favor of the City Attorney, with which to pay and satisfy the judgment recovered against the city by F. G. Pattison. Adopted.

That the Comptroller's annual report be referred back to the Comptroller and City Treasurer, and that they be requested to add to said report the debit and credit balances on the Treasurer's books, on all the local assessments mentioned in Schedule K, and report the same back to this council, at the earliest practicable day. Adopted.

That an order for $42 17 be drawn on the General Fund of 1861, City Attorney and Legal Expense Departmen ,in favor of the City Attorney, to pay judgment and costs recovered by Wm. H. Glenny against the city. Adopted

That an order tor $75 be drawn on the General Fund, 1861, City Attorney and Legal Expense Department, in favor of the City Attorney, to pay bill of costs in suit of the City of Buffalo against Henry B. Burt. Adopted.

Ald. Wheeler, from the Committee on Schools, reported in favor of allowing the following accounts, and of drawing orders for the same:

Ellen Moran, for cleaning School House No. 7—$6 20.-

Blodgett & Bradford, for moving Piano for School House No. 7—$2 62.

Frederica Getzinger, for cleaning School House No. 1—$11.

John B. Sackett, for cleaning School House No. 4—$15 65.

Mrs. L. Riley, for cleaning School House No. 10—$10.

Elizabeth Butler, for cleaning School House No. 11—$3 25.

Charles Williams, for whitewashing School House No. 11—$7.

John Reger, for cleaning School House No. 14—charged as $16 25, allowed at $14.

Mrs. S. Claraluna, for cleaning Primary School House in District No. 14—$3.

Marian Waeger, for cleaning School House No. 32—$15 25.

Samuel Caldwell, for whitewashing in Schools Nos. 4, 6, and 32—$36.

N. Wilgus, for labor, &c., at School Houses Nos. 3, 7, 11, and 23—$56 70.—Adopted.

Also in favor of the adoption of the following resolution:

That this Council do now proceed to the election of a Supervisor for the Thirteenth Ward, to fill the vacancy occasioned by the death of Aaron Martin. Adopted.

The Common Council then proceeded to ballot for a Supervisor for the 13th Ward, to fill the vacancy occasioned by the death of Aaron Martin, and on such balloting

Wm. Hewson received.....5 votes,
Rodney M. Taylor " .....8 "
Asa Whitmore " .....8 "

—No choice.

Ald. Felton called for the reading of the several petitions heretofore presented to the Council, asking to have a Supervisor appointed for the 13th Ward.

Ald. Adams objected to the reading of such petitions.

The call of Ald. Felton for the reading of the petitions was granted.

Ayes—Ald. Beckwith, Bemis, Brush, Crowder, Dayton, Dorr, Felton, Goembel, Hanovan, Howard, Jones, Palmer, Russell, Scheu, Swartz and Yaw—16.

Noes—Ald. Adams, Allen, Savage, Storck and Wheeler—5.

The said petitions were then read.

The Common Council again proceeded to ballot for Supervisor for the 13th Ward, to fill vacancy, and on such balloting

Wm Heuson received 2 votes.
Asa Whitmore received 11 "
Rodney M Taylor received 8 "

And the said Asa Whitmore having received a majority of all the votes cast was declared duly appointed Supervisor for the 13th Ward, to fill the vacancy occasioned by the death of Aaron Martin.

Ald. Wheeler, from the Committee on Schools, also reported in favor of the adoption of the following resolution:

That the Superintendent of Schools be directed to prepare a list of the books needed for the several libraries, and that the Superintendent and Chairman of school Committee be directed to advertise for three days in the city paper, for proposals to furnish the books needed, requiring a price to be named for each book or volume to be furnished, and the aggregate of all of such bids, such proposals to be opened before the Superintendent and School Committee, and that the award to furnish such books be made by them, to the person or persons who shall bid to furnish the same at the lowest price. Adopted.

Ald. Adams, by unanimous consent, offered the following Resolutions:

That the action of the Common Council, had September 9th, 1861, in relation to, and dividing the several Wards into Election Districts, be, and the same is hereby repealed. Adopted—Ayes 21, Noes 0.

That the Common Council of the City of Buffalo do hereby order and determine that the several Wards in said City be, and the same are hereby divided into Election Districts as follows:

FIRST WARD.

1st District—All that portion of said Ward lying westerly of Michigan street, and northwesterly of the northwesterly line of Pratt Slip; thence southwesterly following in same direction from its westerly termination to Lake Erie, shall comprise the First District.

2nd District—All that part of said ward lying westerly of Louisiana street, easterly of Michigan street and southeasterly of the northwesterly line of Pratt Slip, thence southwesterly following in the same direction from its westerly termination to Lake Erie, shall comprise the Second District.

3d District—All that part of said ward, lying easterly of Louisinana street, shall comprise the said Third District.

SECOND WARD.

1st District—All that part of said ward, lying southerly of Seneca street, shall comprise the First District.

2d District—All that part of said ward, lying northerly of Seneca street and southerly of South Division street, shall comprise the Second District.

3d District—All that part of said ward lying northerly of South Division street shall comprise the said Third District.

THIRD WARD.

1st District—All that part of said ward lying westerly of Spring and Alabama streets, shall comprise the first district.

2d District—All that part of said ward lying easterly of Spring and Alabama streets, shall comprise the second district.

FOURTH WARD.

1st District—All that part of said ward lying southerly of Mohawk street, westerly of Ellicott street, and southerly of Batavia street, shall comprise the first district.

2d District—All that part of said ward, lying northerly of Mohawk street, easterly of Ellicott street, northerly of Batavia street, and southerly of Chippewa and Genesee streets, shall comprise the 2d district.

3d District—All that part of said ward lying northerly of Chippewa and Genesee streets, shall comprise the third district.

FIFTH WARD.

1st District—All that part of said Ward lying westerly Monroe street, and southerly of William street, shall comprise the first district.

2d District—All that part of said Ward lying westerly of Monroe street, and northerly of William street, shall comprise the second district.

3d District—All that part of said Ward lying easterly of Monroe street, shall comprise the third district.

SIXTH WARD.

1st District—All that part of said Ward lying southerly of Sycamore street and westerly of Jefferson street, shall comprise the first district.

2d District—All that part of said Ward lying northerly of Sycamore streets and westerly of Jefferson street, shall comprise the second district.

3d District—All that part of said Ward lying easterly of Jefferson street, shall comprise the third district.

SEVENTH WARD.

1st District—All that part of said Ward lying easterly of Main street, northerly of Goodell street, westerly of Mulberry street, southerly of High street, shall comprise the first district.

2d District—All that part of said Ward lying easterly of Main street, southerly of Delevan avenue, westerly of Walden street, northerly of Best street, westerly of Jefferson street, and northerly of High street, shall comprise the Second District.

3d District—All that part of said Ward lying northwesterly of Genesee street, southerly of Best street, easterly of Jefferson street, southerly of High street, easterly of Mulberry street, southerly of Goodell street, and easterly of Michigan street, shall comprise the Third District.

EIGHTH WARD.

1st District—All that part of said Ward lying southeasterly of Erie street, shall comprise the First District

2d District—All that part of said Ward lying northwesterly of Erie street, shall comprise the Second District.

NINTH WARD.

1st District—All that part of said Ward lying easterly of Delaware street, also that part lying westerly of Delaware street, and southerly of Court street, shall comprise the First District.

2d District—All that part of said Ward lying northerly of Court street westerly of Delaware street southerly and southwesterly of Huron and Ninth streets, southeasterly of York street, and northeasterly of Sixth street, shall comprise the Second District.

TENTH WARD.

1st District—All that part of said Ward lying westerly of Delaware street and northerly and northwesterly of Tupper and Carolina streets, shall comprise the first district.

2d District—All that part of said Ward lying easterly of Delaware street, also all that part of said Ward lying westerly of Delaware street and southerly and southeasterly of Tupper and Carolina streets, shall comprise the second ddistrict.

ELEVENTH WARD.

1st District—All that part of said Ward, lying easterly of the N. Y. State Reservation Line, shall comprise the first district.

2d District—All that part of said Ward, lying westerly of the N. Y. State Reservation Line, shall comprise the second district.

TWELFTH WARD.

1st District—All that portion of said Ward lying westerly of the center of Delaware street, shall comprise the first district—same as last year.

2d District—All the balance or remaining territory of said Ward, lying easterly of the center of Delaware street, shall comprise the second District—same as last year.

THIRTEENTH WARD.

To remain one district, same as last year.

On motion of Ald. Adams so much of said resolution as relates to the 1st, 2d, 3d, 4th, 5th, 6th, 7th, and 8th, Wards was adopted.

Ald. Adams moved that so much of said resolution as relates to the 9th Ward be adopted. Carried.

Ald. Adams moved that that portion of said resolution relating to the 10th Ward be adopted. Carried.

On motion of Ald. Adams that portion of said resolution relating to the 11th, 12th and 13th Wards was then adopted.

That the Special Committee for the appointment of Inspectors of Elections report the places for holding the polls in the various Election Districts of the City—Adopted.

That the City Clerk be authorized to procure new locks and keys for such of the ballot boxes as may be necessary, and to cause such of the ballot boxes as may require repairing, to be properly repaired—Adopted.

By unanimous consent—

Ald. Adams, from the Special Committee on the subject of reporting names of suitable persons to act as Inspectors of Election, presented a report, and moved that such report be referred back to said Special Committee, to be taken up at the next meeting of the Council, under order of reports from the Committee on Finance—Carried.

Ald. Beckwith was excused from further attendance at this meeting of the Council.

Ald. Palmer, from the Committee on Streets, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause Tupper street to be repaired between Ellicott and Oak streets, at an expense not exceeding $25, and report. Adopted.

That the Street Commissioner cause Hamburgh street to be repaired from the northerly line of Perry street to the northerly line of Elk street, by opening gutters and filling holes with stone chips, at an expense not exceeding $50 and report, and that the resolution passed July 22d, 1861, limiting the expense of such repairs to $25 be rescinded. Adopted. Ayes, 19; Noes, 0.

That the Common Council of the City of Buffalo intend to take and appropriate the land and property necessary to lay out and straighten a public street or highway thirty (30) feet wide from Main st. to Elm street heretofore known as Burton Alley, said street to be hereafter known and designated as Burton street, and to be described and bounded as follows, to wit:

The center line thereof commencing in the easterly line of Main street, at a point three hundred and forty-nine (349) feet northerly from the northerly line of Goodell street, and running thence easterly in a direct course to a point in the westerly line of Elm street, three hundred and thirty-nine (339) feet northerly from the northerly line of said Goodell street, the northerly and southerly line of said Burton street to run parallel with said center line and fifteen (15) feet therefrom, and that the City Clerk cause a notice of such intentian to be published in 20 numbers of the city paper. Adopted.

That the City Attorney report if the establishing the boundaries of Burton Alley, September 28th, 1857, (page 379 of the printed minutes of the Council) is legal, and what action is necessary to establish the lines of said alley between Main and Elm streets, as originally laid out by the owner of the land (the property of Jabez Goodell) in accordance with the petition of sundry property holders on said alley, presented to this Council June 11, 1860. Adopted.

That the street Commissioner cause Fourth street to be repaired, between Court and Carolina streets, by filling holes with brickbats or stone chips, at an expense not exceeding $25, and report. Adopted.

Ald. Howard was called to the chair.

That the action of the Street Commissioner, in August 1861, causing the bridge across Evans Ship Canal, on Erie street, to be repaired, after being broken two several times by cattle passing over the same, at an aggregate expense of $146 64, as set forth in the report of said Street Commissioner, dated September 2d, 1861, is hereby ratified and confirmed Adopted.

That the City Assessors assess $1,000 for repairing and maintaining the two bridges across Evans Ship Canal, on Erie and Water streets. Adopted

That the Street Commissioner cause Washington street to be repaired, between Seneca and Swan streets, by raising the gutter on the westerly side, so as to let the water pass off, at an expense not to exceed $30, and report. Adopted.

That the Street Commissioner cause Alabama street, between Seneca and Exchange streets, to be repaired, by opening gutters and filling holes with brick-bats, at an expense not exceeding $20, and report. Adopted

That the Street Commissioner cause Carroll street to be repaired, between Louisiana and Alabama streets, by filling holes with brick-bats, at an expense not exceeding $20, and report. Adopted.

That the Street Commissioner cause the wood culvert across Hickory street, on the northerly side of Sycamore street, be repaired, at an expense not exceeding $5, and report. Adopted.

That the Street Commissioner cause the wood culvert across Eleventh street on the southerly side of Maryland street to be repaired, at an expense not to exceed $8 00, and report. Adopted.

That the Street Commissioner cause Fifth street to be repaired by filling holes with stone chips, from the northerly curb line of Court street to a point 100 feet northerly thereform, at an expense not exceeding $10, and report. Adopted.

That the Street Commissioner cause the wood culvert across Palmer street on the northerly side of Virginia street to be repaired at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause Gray street between Genesee and Batavia street, to be repaired by filling holes, at an expense not exceeding $30, and report. Adopted.

That the Street Commissioner cause Best street to be repaired by filling holes, between Main and Michigan streets, at an expense not exceeding $10, and report. Adopted.

That the Street Commissioner cause the wood culvert across Cherry street, on the East side of Spring street, to be repaired at an expense not exceeding $6, and report. Adopted.

That the Street Commissioner cause Cedar street to be repaired, between the southerly curb line of Batavia street and a point 300 feet southerly therefrom, by filling holes, at an expense not exceeding $10, and report. Adopted.

That the Street Commissioner cause the wood culvert across Jersey street, on the North-easterly side of Eleventh street, to be repaired, at an expense not exceeding $5, and report. Adopted.

Also reported in favor of allowing the following accounts, and of drawing orders for the same:

John Erb, for cleaning paved Streets and Alleys in August, 1861—$3 75.

Philip Shaw, for the same—$8 06.

John Fisher, for the same—$9.

George Fisher, for the same—$2 25. Adopted.

Also reported in favor of directing the City Assessors to make assessments as follows:

Assess $22 85 for deeping the gutter in Main street at the Northwest corner of Main and Niagara streets. Adopted.

Assess $24 95 for repairing North Canal street from Emslie street to Hagerman street. Adopted.

Assess $10 00 for repairing Goodell street between Michigan and Mulberry streets. Adopted

Ald. Brush from the Committee on Sewers, reported in favor of allowing the following accounts, and of drawing orders for the same:

John Waunop for repairing receiving sewer at the northwest corner of Genesee and Elm streets—$4 04.

John Waunop, for repairing sewer and receiver on the southerly side of Water street opposite LeCouteulx street—$9 05.

Same, for repairing receiving sewer at the southwest corner of Washington and Chippewa streets—$2 40. Adopted.

Also reported in favor of the adoption of the following resolutions:

That it is hereby ordered that a brick sewer be constructed eighteen inches diameter in the clear, with walls eight inches thick, in the centre of Hickory street, from the sewer in the centre of Clinton street, northerly, to a point 100 feet southerly from William street. Adopted.

That when an assessment shall be confirmed to defray the expenses, the Street Commissioner be, and is hereby authorized and directed to contract with Alfred H. Giddings, for constructing a brick sewer in Hickory street, from the sewer in the centre of Clinton street, notherly, to a point 100 feet southerly from William street, in accordance with the order for the work and specifications for the same, at a sum not exceeding $505 92. Adopted.

That the City Assessors assess $505 92, for constructing a brick sewer in the centre of Hickory street, from the sewer in the centre of Clinton street, northerly to a point 100 feet southerly from Williams street. Adopted.

That it is hereby ordered that a brick sewer be constructed two feet diameter in the clear with walls eight inches thick, in Maple street, from the termination of the present sewer in Marie street to Virginia street (so called) and that the Street Commissioner advertise six days in the city paper for proposals to construct said sewer, and report such proposals to this Council. Adopted. Ayes, 18; Noes, 0.

Ald. Swartz, from the Committee on Side and Crosswalks reported in favor of the adoption of the following resolutions:

That the owners of land on the easterly side of Washington street, between Burton Alley and the northerly line of Virginia street (so called) cause a sidewalk to be repaired in front of their respective lots, 4 feet wide, by substituting good new hemlock plank, 3 inches thick where necessary, within 5 days, and if not done in that time that the Street Commissioner cause the same to be done at an expense not exceeding $25, and report. Adopted.

That the Street Commissioner cause the plank crosswalk across Mackinaw street, on the easterly side of Chicago street, to be repaired at an expense not exceeding $6, and report. Adopted.

That the owners of land on the easterly side of Washington street, between Carlton street and Virginia street (so called) cause a sidewalk to be constructed in front of their respective lots, 4 feet wide of good hemlock plank 3 inches thick, within 10 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $98 00, and report. Adopted.

That the owners of land on the westerly side of Gray street, between Genesee and Batavia streets, cause a sidewalk to be repaired in front of their respective lots three feet wide, by substituting new hemlock plank three inches thick, where necessary, within 10 days, and if not done within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $97 00, and report—Adopted.

That the owners of land on the east side of Michigan street, between William and Gay streets, cause a sidewalk to be repaired in front of their respective lots, four feet wide, by substituting good new hemlock plank three inches thick, where necessary, within 10 days, and if not done within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $80 00, and report—Adopted.

That the Street Commissioner cauee the crosswalk across Gay street, on the east side of Michigan street, to be repaired at an expense not exceeding $6 00, and report—Adopted.

That the Street Commissioner cause the plank crosswalk across Miami street, on the easterly side of Chicago street, to be repaired at an expense not exceeding $6 00, and report. Adopted.

That the owners of land on the westerly side of Chicago street, between Ohio street and Big Buffalo Creek, cause a sidewalk to be repaired in front of their respective lots, 4 feet wide, by substituting new hemlock plank, 3 inches thick, within 10 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $75, and report. Adopted.

That the owners of land on the southerly side of Fulton street, between Chicago street and Ohio Basin Slip, cause a sidewalk to be repaired in front of their respective lots, 4 feet wide, by substituting new hemlock plank, 3 inches thick, where necessary, within ten days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $25 00, and report. Adopted.

That the Street Commissioner cause a stone platform to be furnished and placed over the gutter on the south side of Huron street, at the easterly corner of Ellicott street, at an expense not exceeding $15 00, and report. Adopted.

That the owners of land on the southerly side of Delaware Place, between Delaware street and the angle near the N. Y. S. Reservation line, cause a sidewalk to be repaired in front of their respective lots, by substituting new hemlock plank, 3 inches thick, where necessary, within ten days, and if not done in that time that the Street Commissioner cause the same to be done at an expense not exceeding $100, and report. Adopted.

That the owners of the land on the southerly side of North Division street, between Grosvenor street and a point 100 feet easterly therefrom, cause a sidewalk constructed in front of their respective lots, 3 feet wide, of good hemlock plank 3 inches thick, laid on a uniform grade, within five days, and if not done in that time, that the Street Commissioner cause the same to be done at an expense not exceeding $15, and report. Adopted.

That the owners of the land on the easterly side of Grosvenor street, between North Division and South Division streets, cause a sidewalk constructed in front of their respective lots, 3 feet wide, of good hemlock plank 3 inches thick, within five days, and if not done in that time, that the Street Commissioner cause the same to be done at an expense not exceeding $30, and report. Adopted.

That the Street Commissioner cause a plank crosswalk constructed, 3 feet wide, across Grosvenor street, on the southerly side of North Division street, at an expense not exceeding $7, and report. Adopted.

That the owners of the land on the westerly side of Cedar street, between Clinton and Eagle streets, cause a sidewalk constructed in front of their respective lots, 4 feet wide, of good hemlock plank, 3 inches thick, laid on a uniform grade, within five days, and if not done in that time, that the Street Commissioner cause the same to be done at an expense not exceeding $55, and report. Adopted.

That the Street Commissioner cause a plank crosswalk constructed across Eagle street, on the westerly side of Cedar street, at an expense not exceeding $10, and report. Adopted.

That the owners of land on the westerly side of Fourth street, from the westerly line of Court street to 150 feet northerly therefrom, cause a sidewalk repaired in front of their respective lots, by substituting new hemlock plank where necessary, within five days, and if not done in that time that the Street Commissioner cause the same to be done at an expense not to exceed $25 and report.—Adopted.

That the Street Commissioner is hereby authorized and directed to cause the plank sidewalk on the northerly side of Fulton street, between Chicago street and Ohio Basin Slip, to be repaired, or any portion thereof that remains unrepaired, in accordance with a resolution passed by this Council on the 6th day of May, 1861, at an expense not exceeding $75. And that so much of said resolution passed on said 6th day of May, as limits the expense of said repair at $25, be and is hereby rescinded. Adopted. Ayes 18, Noes 0.

Also reported in favor of allowing the following account, and of drawing order for same.

Frederick Scheifer, for reconstructing a plank crosswalk across Hickory street on the northerly side of Jefferson street—$6 08. Adopted.

Also in favor of directing the City Assessors to make assessments as follows:

Assess $36 for constructing sidewalk on the westerly side of Hermann street between Genesse street and North street. Adopted.

Assess $50 for repairing the sidewalk on the southerly side of Batavia street between Jefferson and Spring streets. Adopted.

That the owners of land on the westerly side of Hamburgh street, between a point 100 feet southerly from Mackinac street to the New York and Erie Railroad track, cause a sidewalk repaired in front of their respective lots, by filling the same and substituting new hemlock plank three inches thick where necessary, within five days, and if not done in that time that the Street Commissioner cause the same to be done at an expense not exceeding $100, and report. Adopted.

That the Street Commissioner cause a crosswalk across Sandusky and Tecumseh streets, on the easterly side of Hamburgh street to be repaired, by filling and laying good hemlock plank where necessary, at an expense not exceeding $20, and report. Adopted.

Ald. Yaw, from the Committee on Fire, reported in favor of the adoption of the following resolutions:

That so much of the resolutions adopted by this Council on the 12th of August, 1861, disbanding Engine Co. No. 3, and directing the fire Marshal to take possession of all property and fire apparatus in the house of such Company, belonging to the city, be and the same is hereby rescinded. Adopted. Ayes 18; Noes 0.

That permission be and is hereby granted to J. C. Clifford to erect a frame building, one story high, 40 by 25 feet, on the south-east corner of Georgia street and the Erie Canal, such building to be completed within three months, and to be erected under the direction of the Fire Marshal, and subject to the further order of this Council. Adopted. Ayes 18; Noes 0.

That permission be and is hereby granted to George Parr, to erect a wooden shed on the rear of his shop, on the corner of Court and Hospital streets, 10 feet high, and 48 by 23 feet, such shed to be completed within three months, and to be built under the direction of the Fire Marshal, and subject to the further order of this Council. Adopted. Ayes, 18; Noes, 0.

Also reported in favor of allowing the following accounts and of drawing orders for same:

Dickey & Marsh, for oats, &c., for Fire Department—charged at $46 49; allowed at $46 19.

T. J. Schefer, for hay for same—$5 79.

Fred Grundlach, for same—$5 32.

N. Case, for oil for same—$30 60.

F. Colligon, for labor and materials for same—$17 25.

W. I. Williams, for repairs to Engine House No. 9—$16 92

Ernst Klein, for Hydrant boxes—$13 80. Adopted.

On motion, Ald Savage was excused from further attendance at this meeting of the Council.

Ald. Jones, from the Committee on Water, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause a pump to be placed in the public well on the south-east side of Eagle street, about 400 feet easterly from Michigan street, at an expense not exceeding $19, and report. Adopted.

Also, in favor of allowing the following accounts, and of drawing orders for same, viz:

John Wannop, for repairing well and receiver on the north side of South Division street, between Spring and Jefferson streets—$16 30.

Klein & Dobinson, for repairing pump on the corner of Niagara and Breckenridge streets—$3 13.

Same, for repairing pump on the corner of Washington and Perry streets—$2 13.

Same, for repairing pump on the corner of Genesee and Ellicott streets—$1 63.

Same, for repairing pump on the corner Ninth and Carolina streets—$1 75.

Same, for repairing pump on the corner of Washington and Mohawk streets—$1 70.

Same, for repairing pump on the corner of Niagara and Hudson streets—$1_75.

Richard Hextal, for cleaning well on the north-west corner of Jefferson and Swan streets—$4.

Same, for cleaning well on the north-west corner of William and Jefferson streets—$3.

F. C. Hill for tins for notices to be posted on public wells—$4.

John Wannop, for repairing sewer on the south side of South Division street, between Michigan and Pine streets—$3 28.

Same, for repairing receiver at the pump on the south side of Fulton street, 330 feet east of Chicago street—$2 12. Adopted.

Also, in favor of the adoption of the following resolution:

That the Street Commissioner cause the pump and penstock in the well at the corner of Sycamore and Pratt streets, to be taken out, and if possible put said well in a condition to furnish a supply of wholesome water, at an expense not exceeding $50, and report.

Ald. Goembel moved to amend said resolution by striking out $50 and inserting $20 in place thereof. Carried.

And said resolution as amended was then adopted.

Assessment Roll No. 2397, for repairing and maintaining the public well and pump at the corner of Sycamore and Pratt streets, amount to $262 00, which was laid upon the table at this meeting of this Council was taken up. Whereupon,

Ald. Howard moved that said Roll, No. 2397, be annulled. Carried.

Ald. Jones, from the Committee on Water, also reported in favor of directing the City Assessors to make assessments as follows:

Assess $20 for repairing and maintaining the public well and pump No 150, located at the corner of Arkansas and North Adams streets. Adopted.

Assess $20 for repairing and maintaining the public well and pump No. 46, located on Elm street, between Clinton and Batavia streets. Adopted.

Assess $20 for repairing and maintaining the public well and pump, located at the corner of Niagara street and Auburn Avenue. Adopted.

Ald. Storck, from the Committee on Police, reported in favor of the adoption of the following resolutions:

That permission be and is hereby granted to the St. Michael Society to parade through the streets on Sunday September 29, 1861, with martial music.

Ald. Howard moved to amend said resolution by adding the following thereto:

"That this permission be limited to passing around their church across Market Square, from one side of their church to the other and back again." Carried.

And the said resolution as amended was then lost for want of a two-thirds vote. Ayes, 11; Noes, 7.

That the City Attorney be and he is hereby directed to remit and cancel a judgment for $25 00 and costs, obtained against George Hoffer, August 14, 1861, before Justice Burt, for a violation of the city ordinances, upon the payment of the costs of the suit by the said Hoffer.—Adopted. Ayes, 18; Noes, 0.

Ald. Storck, from the Committee on Markets, reported in favor of allowing the account of Michael Danner, Sen., for new gas burners, for the Chippewa Market, amount $8 75, and of drawing an order for same. Adopted.

Also, in favor of the adoption of the following resolutions:

That whenever any one of the Sweepers of the Public Markets should be absent from his respective place about the Market building during Market hours, without permission from the Clerk of the Market, or neglect his proper duty assigned to him by the Clerk, or be found intoxicated while discharging his duty as Sweeper of the Market, the Clerk of the Market shall report his name without delay to this Council. Adopted.

That the holders of stands around the west side of Elk street Market be, and they are hereby permitted to occupy, for the sale of their goods, a space eight feet in length, by eight feet wide, and commencing two feet inside of the curbstone, extending thence six feet into the street, including one course of flagging two feet wide, and the erection of any stand or shed on said space shall be under the direction and with the permission of the Committee on Markets and the Clerk of the Markets, such permission being granted subject to the further order of the Council. Adopted.

Ald. Allen, from the Committee on Wharves, Harbors and Ferries, reported in favor of the adoption of the following Resolution:

That the Street Commissioner and City Surveyor are hereby directed to cause 250 piles in the Breakwater along the shore of Lake Erie, from Outer Lot No. 50 to the southerly bounds of the City, now in process of repair by Dean Candee, to be driven four feet further into the ground, and the planking be replaced thereon, at an expense not exceeding $100. Adopted.

Ald. Dorr, from the Committee on Public Grounds reported in favor of allowing the following accounts and of drawing orders for same:

Hart, Ball & Hart, for plumbing at Johnson Park—$1 88.

Same, for same at Court House Park—$9 31. Adopted.

Ald. Russell, from the Committee on License, reported in favor of the adoption of the following resolution:

That his honor the Mayor be and he is hereby authorized to grant licenses to the following persons, to sell and peddle fresh meats at the various places hereinafter designated, in accordance with the city ordinances, viz:

H. G. Dudley, at corner of Michigan and Swan streets.

Alexander Barnes, at No. 199 East Seneca street.

August Russell, at southeast corner of Chicago and Swan streets.

James N Matteson, at northwest corner of Eleventh and Virginia streets.

William Hughes, at his shop on Ohio street.

John L. Barnes, at No. 19 Main street.

Hartman Moehl, on Clinton street, between Madison and Jefferson streets.

Geo. Reinheimer, on west side of Michigan street, between Best and North streets.

F. J. Smith to peddle by the carcass and quarter.—Adopted.

Ald. Jones, from the Committee on Sanitary Measures, reported in favor of directing the City Assessors to assess $21 50 for abating a nuisance on ground fronting on the northerly side of Virginia street, being 67 feet front by 91½ feet deep, and commencing 100 feet easterly from Ninth street. Adopted.

Ald. Crowder, from the Committee on New Territory, reported in favor of the adoption of the following resolutions:

That the owners of land on the westerly side of Niagara street, between Hamilton and Austin streets, cause a sidewalk to be repaired in front of their respective lots, by filling to grade so as to let the water pass off, within 10 days, and if not done within that time that the Street Commissioner cause the same to be done, at an expense not exceeding $25, and report. Adopted.

That the Street Commissioner cause a wood culvert repaired across north Washington street, at the southeast side of Ferry street, at an expense not exceeding $6, and report. Adopted.

That the Street Commissioner cause a wood culvert repaired across Dearborn street on the southeast side of Hamilton street, at an expense not exceeding $7, and report. Adopted.

That the Street Commissioner cause Amherst, between the State Ditch and Howell streets, be repaired by filling holes, at an expense not exceeding $80, and report. Adopted.

That the Street Commissioner cause a wood culvert repaired across Blossom street, on the easterly side of the Military road, at an expense not exceeding $6, and report. Adopted.

That the Street Commissioner cause a wood culvert constructed across Bird street, on the easterly side of the Military Road, at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause a wood bridge repaired on Clinton street, 100 feet east of the Williamsville Road, at an expense not exceeding $25, and report — Adopted.

That the Street Commissioner cause a plank crosswalk constructed across Farmer street, on the easterly side of Niagara street, at an expense not exceeding $10, and report. Adopted.

That the Street Commissioner cause a receiver and sewer constructod on the southeast corner of north Washington and Breckenridge streets, at an expense not exceeding $65, and report. Adopted.

That the Street Commissioner cause a receiver and sewer constructed on the southeast corner of Porter and Breckenridge streets, at an expense not exceeding $65, and report. Adopted.

That the Street Commissioner cause a receiver and sewer constructed on the northeast corner of north Washington and Breckenridge streets, at an expense not exceeding $65, and report. Adopted.

That the Street Commissioner cause a wood culvert repaired across Vermont street, on the westerly side of Thirteenth street, at an expense not exceeding $8, and report. Adopted.

That Fifth street, between York and Connecticut street be repaired, by opening the gutters and working the road-way to the established grade of York and Connecticut streets, by properly rounding the same up; and that the City Surveyor set stakes on said street, showing the grade, and that the Street Commissioner cause notice to be published for six days, in the City Paper for proposals to perform such work, to be bid for in one gross sum for doing such work, to the approval of the Street Commissioner and Special Committee on Prospect Hill Parks, and that said Commissioner and Committee be authorized to award the contract to the lowest bidder. Adopted.

Also in favor of directing the assessors to make assessments as follows:

Assess $28 15 for repairing Clinton street at both ends of the bridge over a ravine about 200 feet westerly from the Buffalo & New York Central Rai'road. Adopted.

Assess $5 65 for constructing a wood culvert across Amherst street, about 100 feet easterly from Delaware street.

Ald. Howard moved to refer same back to the Committee on New Territory. Carried.

Assess $10 for repairing the Williamsville road between the Hydraulic Canal and Clinton streets.

Ald. Howard moved to refer same back to the Commit tee on New Territory. Carried.

Assess $50 for repairing the bridge across a ravine on Mineral Spring street, about 50 rods northeasterly from the Aurora Plank Road. Adopted.

Also in favor of allowing the following accounts, and of drawing orders for the same:

Lauren Williams, for repairing wood culvert across Spring street, on the northerly side of Hinkley street—$4 14.

E. F. Blackmond, for repairing culvert across Fourteenth street, between Massachusetts and Hampshire streets—$6 30.

Avin Joslyn, for repairing the bridge on Mineral Spring street, about 50 rods northeasterly from the Aurora Plank Road—$3 50. Adopted.

Also in favor of the adoption of the following resolution:

Resolved, That the Common Council intend to establish the grade of Delavan avenue, from Main street to Delaware street, as follows, to wit: Commencing at the intersection of the westerly line of Main street, with the centre line of Delavan avenue, at an elevation of 48:20 feet above the base line of levels; thence westerly along said centre line of Delavan avenue, rising 1:93 feet per 100 feet for a distance of 275 feet; thence falling 0:30 feet per 100 feet for a distance of 375 feet; thence falling 2:62 feet per 100 feet for a distance of 300 feet; thence falling 0:51 feet per 100 feet for a distance of 718 feet; thence rising 2:08 feet per 100 feet for a distance of 482 feet; thence rising 0:50 feet per 100 feet for a distance of 446:5 feet to the east line of Delaware street, at an elevation of 53:21 feet above the base line of levels. Adopted.

SPECIAL COMMITTEES.

Ald. Howard, from the Special Committee on Prospect Hill Parks, reported in favor of allowing the account of Samuel Green for services as keeper of Prospect Hill Parks, for month of August—amount $27—and of drawing an order for same. Adopted.

MOTIONS, RESOLUTIONS AND NOTICES.

Ald. Storck moved that the Common Council do now adjourn. Carried.

The resolutions remaining upon the desk of the Clerk, at the adjournment of the Council, were by him referred to the appropriate committees, as follows:

That Lloyd street, from 40 feet from the southerly curb line of Canal street to 100 feet southerly therefrom, be repaired.

That the bridge across Prime Slip, on Prime street, be repaired.

That the wood culvert across Carlton street, on the east side of Maple street, be repaired.

That Cherry street, between Michigan and Maple sts, be repaired.

That the wood culvert across Palmer street, on the northwest side of Virginia street, be repaired.

That Perrystreet be made from the old city line to Dole street.

That the wood culvert and crosswalk connected across Carroll street, on easterly side of Heacock stceet, be repaired.

That the wood culvert across Tenth street, on northwest side of Virginia street, be repaired.

That the culvert across Carlton street, on east side of Maple street, be repaired.

Referred to Committee on Streets.

That the sidewalk on the northerly side of Swan street, between Hagerman street and the N. Y. Central Railroad track, be repaired.

That the sidewalk on the southerly side of Swan street, between Spring and Jefferson streets, be repaired.

That the sidewalk on the east side of Jefferson street, between William and Batavia streets, be repaired.

That the sidewalk on the north side of Eagle street, between Hickory and Walnut streets, be repaired.

That the side walk on the south side of Eagle street, between Cedar and Hickory streets, be repaired.

That the sidewalk on the east side of Jefferson street, between Clinton and William streets, be repaired.

That the sidewalk on the north side of Clinton street, between Cedar and Hickory streets, be repaired.

That the sidewalk on the southwesterly side of Peacock street, between Evans and Norton streets, be repaired.

That the sidewalk on the northerly side of Ohio street, between Columbia and Michigan streets, be repaired.

That the sidewalk on the southerly side of Swan street, between Kinney's Alley and 580 feet westerly, be repaired.

That the sidewalk on the easterly side of Main street, between Virginia (so called) and Carlton street, be repaired.

That the crosswalks across Sandusky and Tecumseh streets, on the west side of Hamburgh street, be repaired.

That the crosswalk across Pratt street, on southerly side of Clinton street, be repaired. Referred to Committee on Side and Crosswalks.

That the Fire Marshal purchase 200 feet of patent canvas hose. Referred to the Committee on Fire.

That the pump be repaired at the corner of Elk and Michigan streets. Referred to the Committee on Water.

That the City Clerk procure the necessary livery for election purposes. Referred to Committee on Claims.

That an order for $25 be drawn in favor of R. Paul, to apply on salary as keeper of Johnson Park. Referred to Committee on Public Grounds.

That the wood culvert across Amherst street, on the westerly side of Delaware street be repaired.

That the wood culvert across Best street, on the easterly side of Walden street be repaired.

That the wood culvert across Fox street, on the northerly side of Genesee street, be repaired.

That the wood culvert across Smith street, between Abbot Road and Elk street be repaired.

That a stone culvert be constructed on the north side of Amherst street, across Tonawanda Street.

That the Bridge across Scajaquada Creek, on Walden street be repaired.

That the Bridge across William street, between the N. Y. &. E. R. R., and the Williamsville road be repaired.

That the Bridge across the Ravine on Clinton street, about 100 feet easterly from the Williamsville Road be repaired.

That Dann street be repaired, between Amherst and Hamilton streets.

That Connecticut street be repaired, between Eleventh and Thirteenth streets.

That Tonawanda street be repaired between Niagara and Amherst streets.

That the City Surveyor report the length of sidewalk to be constructed on the several sides of Porter Square and the Market Ground. Referred to Committee on New Territory.

The Common Council adjourned to meet next Monday afternoon, September 30, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 34.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Sept. 30, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council; and Ald. Adams, Allen, Brush, Crowder, Felton, Goembel, Grass, Howard, Jones, Russell, Savage, Swartz, Wheeler, and Yaw.

Absent—Ald. Beckwith, Dayton, Dorr, Hannovan, Mills, Palmer, Pratt, Rutter, Scheu, Storck, and Walsh.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM HIS HONOR THE MAYOR.

MAYOR'S OFFICE,
Buffalo, Sept 30, 1861.

To the Hon. the Common Council of the City of Buffato:—

GENTLEMEN: I am requested by the Union Defence Committee to ask that an order be drawn in their favor for five thousand dollars.

I beg to recommend that their request be complied with.

Respectfully,
F. A. ALBERGER, Mayor.

Ald. Howard moved that such communication be received and placed on file, and that an order be drawn in favor of His Honor the Mayor, as chairman of such committee, for the amount recommended. Carried.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

COMPTROLLER'S OFFICE,
Buffalo, Sept. 30, 1861.

To the Hon. Common Council:

GENTLEMEN:—On the 23d inst., you directed two orders to be drawn, one in favor of Fred. Scheifer, for $6 08, on the Local Improvement Fund, and one for 16 30 in favor of John Wannop, on Local Fund, for well on north side of South Division street, between Spring and Jefferson streets, for repairing public well and receiver on north side of South Division street, between Spring and Jefferson streets. These orders I have withheld for the reason that the order first mentioned is improperly drawn for constructing plank crosswalk across Hickory street on northerly side of Jefferson street, when it should be for crosswalk across Hickory street on northerly side of Genessee street. You should direct a new order to be drawn and direct this one to be cancelled. The fund on which the order secondly named is drawn, is good for only $9 69, and I would recommend that you order an assessment for this fund.

I again call your attention to the fact that some steps should be taken to dispose of or collect the old tax scrips, held by the city, principally those scrips on lands on the south side of Buffalo Creek. The assessment ordered and confirmed March 6th, 1849, for lands taken for Ship Canal south side Buffalo Creek, amounting to $3,684 54, and for the Ship Canal south side of the Buffalo Creek, from north line of outer lot 36 to north line of outer lot 43, confirmed May 19th, 1849, for $64,585 50, and for the Ship Canal south side of Buffalo Creek, from outer lot 43 to outer lot 50 on south channel, confirmed March 22d, 1850, for $76,660 50, and also for Ship Canal through outer lot 40, confirmed Dec. 21st, 1852, for $32,170 95. The consolidated Treasurers credit, balance on the three funds, first, secondly and thirdly, above named, is only $347 31, and on the last named fund is only $436 32. The consolidated credit balance on said three funds appears much larger on the books in this office, balance being $16,572 52, and on the last named fund is $440 54. The explanation of the discrepancy is the non-payment of all the assessments. The city still owns scrip, known as Ship Canal scrip, to the amount of about $6,000 exclusive of interest. Something may be realized to the city on this and other old scrip if same be properly attended to. I would recommend that this matter be referred to His Honor the Mayor, Comptroller, Auditor and Chairman of the Finance Committee, with power to make such disposition of said scrip as shall seem to them to be for the best interest of the city.

Respectfully submitted.
ALONZO TANNER, Comptroller

Ald. Howard moved that such communication be re-received and place on file, and that the subject matter of the same be referred as recommended. Carried.

FROM THE STREET COMMISSIONER.

OFFICE OF THE STREET COMMISSIONER,
Buffalo, September 30th, 1861.

To the Hon. the Common Council:

GENTLEMEN—The undersigned have to report the destruction and damage of sundry bridges, by the sudden rise of water, by reason of the late rain storm, on the 26th and 27th instant, he has examined most of the locations, and finds as follows:

Bridge over the ravine on Elk street, between Dole street and the Aurora Plank Road, is carried about 50 rods down the stream.

Bridge on Mineral Spring street, about 50 rods north-east from the Aurora Plank Road, has been carried a considerable distance from the road.

Bridge across Cazenovia Creek, on the road leading from the Aurora Plank Road to Martin's corners, is damaged so that it cannot be crossed, the street, at both ends of the bridge, is washed away, and should be repaired forthwith to prevent further damage.

Bridge across Cazenovia Creek on Cazenovia Road is carried away, and most of the materials lodged in a meadow, about ¼ mile below, the iron, joist and plank should be secured at once.

Bridge across Smith street, on the northerly side of the White's corners Plank Road, is also carried away.

The plank on the Abbott Road, between the New York & Erie Railroad and Elk street, is also carried away.

Bridge across the Ravine on the Williamsville Road, about 200 feet southerly from Clinton street, is removed from the roadway and cannot be crossed.

The bridge across Cazenovia Creek on Cazenovia Road has been ordered repaired, and the contract awarded to A. S. Swartz, with the condition that a portion of the old superstructure should be used in the new, and the old bridge being carried away by the freshet will probably increase the expense and may require further action by your Honorable Body, and the undersigned recommends that the City Surveyor be directed to ascertain and report what portion of the old material intended to be used in the proposed repair has been lost, so that the bridge can be replaced with as little delay as possible.

Respectfully submitted,

L. J. WATERS, Street Commissioner.

Ald. Yaw offered the following:

Resolved, That the Street Commissioner be, and he is hereby authorized to repair the Abbott Road, between Elk street and the Buffalo, New York and Erie Railroad track, by replacing the plank where necessary, and raising the road to a sufficient height, so that it will not be endangered by floods, at an expense not to exceed $100.

Ald. Savage moved that Rule No. 30 of the "Rules and Orders" of the Council, which declares "that no local improvement shall be ordered until the subject has been referred to and reported upon by the appropriate Committee," be temporarily suspended. Carried—Ayes 20, Noe 9.

The foregoing resolution offered by Ald. Yaw was then adopted.

Ald. Savage moved that the Street Commissioner be directed to cause the bridge across Smith street, on the northerly side of the White's Corners Plank Road, named in his communication, to be replaced, and report the expense. Carried.

Ald. Howard moved that the recommendation of the Street Commissioner, contained in his communication, in relation to bridge across Cazenovia Creek on Cazenovia Road be adopted. Carried.

Ald. Howard then moved that the Street Commissioner be directed to secure the several bridges named in his communication, and material belonging to same, so as to prevent them from being washed or carried away. Carried.

FURTHER FROM THE STREET COMMISSIONER.

To the Hon. Common Council:

GENTLEMEN—In compliance with your direction the undersigned advertised proposals for constructing a brick sewer in the centre of Hamilton street, from the easterly curb line of Niagara street to the Erie Canal, and have received the following, to wit:

James McGlinn per lineal foot, 70 cents.

Isaac Holloway per lineal foot, 85 cents.

James Haraden per lineal foot, 95 cents.

Respectfully submitted,

L. J. WATERS, Street Commissioner.

Referred to Committee on New Territory.

The Street Commissioner also reported the amounts due to the clerks employed in his office, in month of September. Filed and orders directed to be drawn.

FROM THE CITY SURVEYOR.

To the Honorable, the Common Council:

In compliance with your order of the 9th September, 1861, I have prepared the maps of the new election districts of the city, as the same were designated by you at your last meeting.

There are 398 in all, and I have deposited them with the City Clerk.

They have been prepared with as much economy as possible, and at the following expense:

To Frank Williams, for engraved City Maps	$15 00
To Peter Emslie, for same	15 00
To cash for sundries	31
To J. M. Johnson, for paper, printing and labor mounting maps	15 00
Total Cost	$45 31

I would respectfully ask that an order be drawn in my favor for the above amount.

PETER EMSLIE, City Surveyor.

Referred to the Committee on Claims.

The City Surveyor also reported the amounts due the employees in his office for services during the month of September, and recommended that orders be drawn for same. Filed, and orders directed to be drawn.

The Receiver of Taxes reported the amounts due the employees in his office for services during the month of September, and recommended that orders be drawn for same. Filed, and orders directed to be drawn.

The City Assessors reported the amount due the clerk employed in their office for services during the month of September, and recommended that an order be drawn for same. Filed, and order directed to be drawn.

The Chief of Police reported the amounts due the Captains of Police, Clerk and Policemen, for services during the month of September, amount $2 087 08; also, the amounts due the various persons employed to clean the several police stations for the same month, amount $80, and recommended that orders be drawn for same. Filed, and orders directed to be drawn.

Ald. Storck here appeared and took his seat.

The Clerk of the Markets reported the amounts due the Porters of the various Markets for services during the month of September, and recommended that orders be drawn for same. Filed, and orders directed to be drawn.

The City Clerk reported that at a meeting of the Board of Health, held Sept. 28, 1861, the following accounts were audited by the Board, and referred to the Common Council, that provision be made for their payment, viz:

John Elliott, for services as Health Inspector for Sept. —$45.

George J. Reinhardt, for services as Health Inspector for Sept.—$45.

William Miller, for boarding patients at Pest House—$6.

Ald. Adams moved that such communication be received and filed, and that orders be drawn in favor of John Elliott and Geo. J. Reinhardt for services as Health Inspectors, and that the balance be referred to Committee on Sanitary Measures. Carried.

The City Clerk also reported the amounts due the Sergeant-at-arms and Messenger to the Council, for services from July 1st to October 1st, and recommended that orders be drawn for the same. Filed and orders directed to be drawn.

The following described Assessment Rolls, the consideration of which had been postponed until to-day, were taken up.

No.	Amount ordered by Common Council.	Amount added by Assessors.	Total amount of Assessment.
2429—For constructing a stone crosswalk across Court street, on the westerly side of Pearl street	$ 100 00	$ 1 00	$101 00
2430—For repairing crosswalk across Locust street, on the northerly side of Cherry street	8 00	60	8 60
2431—For constructing a plank crosswalk across Pratt street, on the northerly side of William street	6 64	60	7 24
2432—For repairing the crosswalk across North Washington st., on the northwesterly side of Ferry street	5 76	50	6 26
2433—For constructing a plank crosswalk across Fifth street, on the southeasterly side of Virginia street	6 56	50	7 06
2434—For repairing the crosswalk across Spring street, on the north side of Clinton street	7 20	60	7 80
2435—For repairing the crosswalk across Goodell street, on the north side of Cherry street	7 00	50	7 50
2436—For reconstructing crosswalk across Franklin street, on the southerly side of Church street	75 00	60	75 60
2437—For repairing the stone crosswalk across Clinton street on the easterly side of Elm street	14 63	50	15 13
2438—For repairing the stone crosswalk across Clinton street on the westerly side of Michigan street	14 91	50	15 41
2439—For repairing the stone crosswalk across Swan street, on the westerly side of Elm street	20 00	50	20 50
2440—For constructing a plank crosswalk across Clinton street on the easterly side of Smith street	8 32	50	8 82
2441—For repairing the plank crosswalk across Cedar street, on the northerly side of Clinton street	7 20	50	7 70
2442—For reconstructing a plank crosswalk across Spring street, on the southerly side of North Division street	6 88	75	7 63
2443—For reconstructing a plank crosswalk across Cedar street, on the norh side of North Division street	7 72	75	8 47
2444—For reconstructing plank crosswalk across Carlton street on the easterly side of Elm street	6 88	50	7 38
2445—For repairing the plank cross walk across Fulton street, on the westerly side of Hamburgh street	7 84	50	8 34
2446—For repairing the plank crosswalk across Grosvenor street, on the northerly side of South Division street	7 74	75	8 49
2447—For reconstructing a plank crosswalk across Allen street, on the easterly side of Delaware street	7 68	75	8 43
2448—For constructing a plank crosswalk across Tupper street, on the north-westerly side of Carolina street	8 64	75	9 39
2449—For constructing a plank crosswalk across Jefferson street, on the southerly side of Batavia street	9 96	50	10 46
2450—For constructing a plank crosswalk across Forest Avenue, on the easterly side of Niagara street	5 60	60	6 20
2451—For repairing sidewalk on the south side of Green street, between Washington and Michigan streets	27 82	62	28 44
2452—For repairing the plank sidewalk on the easterly side of Jefferson street, between North Division and E gle streets	8 68	50	9 18
2453—For constructing a stone sidewalk on the southeasterly side of Virginia street, between the present walk on Niagara street and the curbing on the southeast corner of Niagara and Virginia streets	5 00	50	5 50

2454—For repairing the plank sidewalk on the southwest side of Palmer street, between Hudson and Maryland street.....	20 29	61	20 90
2455—For repairing the plank sidewalk on the west side of Michigan street, between Sycamore and Batavia streets....	26 40	70	27 10
2456—For repairing plank sidewalk on the westerly side of Hickory street, between Batavia and Sycamore streets....	5 90	50	6 40
2457—For repairing plank sidewalk on the westerly side of Spring street, between Sycamore and Genesee streets....	16 00	50	16 50
2458—For repairing plank sidewalk on the southeast side of Genesee street, between a point 250 feet northeasterly from Herman street and a point 150 feet northeasterly therefrom.	13 88	32	14 20
2459—For repairing plank sidewalk on the northerly side of Genesee street, between Oak and Elm streets.....	11 20	30	11 50
2460—For repairing plank sidewalk on the west side of Elm street, between Tupper and Goodell streets.....	17 76	30	18 06
2461—For reconstructing a plank sidewalk on the southeast side of Lloyd street, between the westerly line of Canal street and the easterly line of Prime street.....	29 84	50	30 34
2462—For repairing the sidewalk on the southerly side of Ohio street, between Main and Washington streets.....	7 00	50	7 50
2463—For repairing the sidewalk on the east side of Kinney street, between Seneca and Folsom streets.....	8 96	44	9 40
2464—For repairing the sidewalk on the easterly side of Hickory street, between William and Batavia streets.....	12 96	60	13 56
2465—For repairing plank sidewalk on the northwest side of Maryland street, between Tenth and Cottage streets....	17 60	50	18 10
2467—For repairing plank sidewalk on the easterly side of Walnut street, between Eagle and Clinton streets.....	16 80	30	17 10
2469—For repairing and maintaining the public well and pump No. 80, located at the corner of Mortimer and Genesee streets.....	12 00	1 50	13 50
2470—For repairing and maintaining the public well and pump No. 126, located at the corner of Niagara and Hudson streets	5 00	1 25	6 25
2471—For constructing and maintaining a public well and pump near the northwest corner of Michigan and Carlton streets.....	311 00	2 00	313 00
2473—For grading and paving Niagara street, from the northerly line of Amherst street to the northerly line of Hamilton street.....	2825 14	2 86	2828 00
2476—For repairing Delaware street, between Chapin and Amherst street.....	49 25	50	49 75
2477—For repairing Massachusetts street, between Tenth and Fourteenth streets	23 97	85	24 82
2478—For grading and working Franklin street, from Chippewa street to Tupper street.....	75 00	1 45	76 45
2479—For repairing Jefferson street, between South Division and Clinton streets.....	39 50	1 00	40 50
2481—For constructing a receiver in the Emslie street sewer, at a point where it crosses the bed of the Little Buffalo Creek, between Seneca and North Canal streets.....	46 60	1 40	48 00
2482—For reconstructing a sewer and receiver at the southeast corner of Hickory and Cherry street.....	26 54	96	27 50
2483—For repairing sewer and receiver at the northwest corner of North Division and Jefferson streets	14 29	1 21	15 50
2484—For repairing the sewer and receiver at the northwest corner of Batavia and Elm streets	12 68	1 00	13 68
2485—For repairing the sewer and receiver at the southwest corner of Seneca and Van Rensselaer streets.....	13 85	66	14 51
2486—For repairing the sewer and receiver at the southwest corner of Batavia and Elm streets	16 19	46	16 65
2487—For repairing the sewer and receiver at the northwest corner of Eagle and Union streets	15 68	85	16 35
2488—For repairing wood culvert across Dearborn street, between Farmer and Austin streets	3 45	55	4 00
2489—For constructing a wood culvert across Locust street, on the northerly side of Cherry street	12 60	1 00	13 60

2491—For repairing the wood culvert across Forest avenue, about 1700 feet west of Delaware street	7 65	50	8 15
2492—For repairing the wood culvert across Forest avenue, on the westerly side of Delaware street	4 79	50	5 29
2493—For constructing a wood culvert across Fulton street, on the easterlyside of Alabama street	8 00	1 00	9 00
2494—For reconstructing the wood culvert across Carlton street, on the westerly side of Mulbury street	8 00	75	8 75
2495—For repairing the wood culvert across York street, on the southerly side of Fourteenth street	7 75	30	8 05
2496—For repairing the gutter on the southeasterly side of Genesee street, between Ash and Spruce streets	10 00	50	10 50
2497—For constructing a dry stone wall back of the south abutment of bridge across Scajaquada Creek, on Niagara street	200 00	15 00	215 00
2498—For securing the north abutment of the bridge across Scajaquada Creek, on Niagara street	148 75	15 00	163 75

The following communication from the City Attorney was received and placed on file :

CITY ATTORNEY'S OFFICE,
Buffalo, Sept. 30, 1861.

To the Honorable the Common Council of the City of Buffalo :

I hereby report that I have examined an abstract of the proceedings of your honorable body, in regard to assessment rolls from No. 2,429 to 2,498 both inclusive, and am of opinion that the said proceedings have been regular, except as to rolls Nos. 2,430 and 2,488.

No. 2,430 is for repairing crosswalk across Locust street, on the northerly side of Cherry street. A crosswalk was ordered constructed at the place designated on the 25th of February, 1861, but I find no order for repairing said walk,

No. 2488 is for repairing wood culvert across Dearbone street, between Farmer and Austin streets. You ordered the culvert reconstructed April 3, 1861. I find no order for repairing it.

I think that the orders for assesssments should follow the language of the orders for the work, otherwise the proceedings are irregular. Respectfully submitted.

GEORGE WADSWORTH, City Attorney.

Ald. Jones moved that the consideration of Assessment Roll No. 2471 be postponed one week.

Ald. Rutter here appeared and took his seat.

Ald. Howard moved as an amendment to the motion of Ald. Jones, that parties interested in said Roll be now heard. Carried.

N. K. Hopkins, Esq., addressed the Council in opposition to confirmation of said Roll.

Ald. Hannovan here appeared and took his seat.

Ald. Jones moved that the consideration of said Roll No. 2471 be postponed one week.

Ald. Howard moved to amend the motion of Ald. Jones by adding thereto the following :—"and that the Committee on Water be directed to examine as to the fulfillment of the contract for constructing said well, and report." Carried.

And the motion of Ald. Jones, as so amended, was then carried.

Ald. Howard moved that assessment rolls Nos. 2,430 and 2,488 be annulled. Carried.

Ald. Howard then moved that all of the said rolls reported in the foregoing communication from the City Clerk, except rolls No. 2,471, 2,430, and 2 488, be confirmed. Carried.

Assessment roll No. 2,376—For the purpose of paying the just compensation awarded to the person or persons owning or having an interest in the land and property taken to lay out Carlton street, from the easterly line of Main street to the northwesterly line of Geneseo street, together with the costs and expenses of ascertainment, amount $2,578 67—the time for the consideration of which and the hearing of parties interested therein had been postponed until to-day, was taken up and opportunity given to parties interested to be heard.

E Thayer and E. F. Cornwall, as attorneys for parties interested in said roll, addressed the Council; the former in opposition to the confirmation of such roll, and the latter in favor of the confirmation thereof.

Ald. Dayton, Beckwith and Mills here appeared and took their seats.

Ald. Howard moved that said roll No. 2,376 be annulled.

Ald. Adams moved as an amendment that said roll be referred back to the City Assessors for reconsideration. Amendment accepted by Ald. Howard.

And the motion of Ald. Howard, as amended, was then carried.

Assessment Roll No. 2398 for widening, straightening and enlarging Buffalo Creek at the toll bridge on Ohio street, by excavating a channel on the northerly side of said Creek, amount $5,935 00, the time for the consideration of which had been postponed until to-day, was taken up.

Ald. Adams moved that the time for the consideration of said roll and the hearing of parties interested therein be further postponed for two weeks. Carried.

The written resignation of Louis P. Maurer of the office of Third Assistant Engineer of the Fire Department, was presented. Filed and resignation accepted.

Ald. Yaw offered the following : That this Council do now proceed to ballot for a Second Assistant Engineer of the Fire Department in place of Phillip Walch, resigned. Adopted.

The Common Council then proceeded to ballot for a Second Assistant Engineer of the Fire Department of the City of Buffalo, in place of Philip Walch, resigned, and on such balloting,

Thomas B. French received	.....	17 votes.
D. Cosgrove, "	.....	1 "
Blank, "	.....	1 "

And the said Thomas B. French, having received a majority of all the votes cast, was declared duly appointed Second Assistant Engineer of the Fire Department of the City of Buffalo.

The written resignation of James Adams, of the office of Inspector of Election for the First District 9th Ward, was presented. Filed, and resignation accepted.

The written resignation of William Fleming, of the office of Inspector of Election for the 10th Ward, was presented. Filed, and resignation accepted.

The written resignation of John Benzinger, of the office of Inspector of Election for the 2d District of the 5th Ward, was presented. Filed, and resignation accepted.

The written resignation of Alfred Clark, of the office of Inspector of Election for the 2d District of the 1st Ward, was presented. Filed, and resignation accepted.

PETITIONS.

Of Wm. W. Wight, for declaration of sale on lot on the south side of Exchange street, 207½ feet east of Beak street, 65 feet front to the center of Little Buffalo Creek.

Of same, for same, on lot on the south side of Exchange street, 207½ feet east of Beak street, to 65 feet front by 185 feet deep, north line.

Of same, for same, on lot on the south side of Exchange street, 207 feet east of Beak street, 75 feet front by 100 feet deep.

Of same, for same, on lot on the south side of Exchange street, 207 feet east of Beak street, 75 feet front, and in depth to Green street.

Of same, for same, on lot last described.

Of same, for same, on lot on the south side of Exchange street, on the east corner of Washington street, 20 feet front by 51 feet deep.

Of Wm. Kennedy, for release from tax. Referred to the Committee on Finance.

Of F. Winkler, to have the Hickory Poles at the junction of Seneca and Swan streets removed. Referred to the Committee on Streets.

Of sundry persons, to have the sidewalk repaired on the west side of Gray street, between Genesee and Batavia streets.

Of John O. Donnell and others, to have sidewalk repaired on the south side of Perry street, between Hamburgh and Red Jacket streets. Referred to the Committee on Side and Cross Walks.

Of W. W. Newman, for permission to add second story and build a wood-house to his house at No. 34 Goodell st. Referred to the Committee on Fire.

Of Chas. C. Bogert, for a butcher's license.

Of Jacob Hiller, for license to sell fresh meat on Park street, Johnson's Park. Referred to the Committee on License.

Of C. Chavel, for a fireman's certificate. Referred to the City Clerk, with power.

Of John Hughes, for permission to erect a wooden building. 20 by 28 feet, on the west side of Sixth street, south of Maryland street.

Ald. Felton moved that the prayer of the petition be granted under the direction of the Fire Marshal and subject to the further order of this Council. Carried. Ayes, 21; Noes, 0.

Petition of Capt. John Nickolson and others, for the release of Charles Rardance from confinement in the Erie County Penitentiary.

Ald. Savage moved that the prayer of the petition be granted. Carried. Ayes, 21; Noes, 0.

REMONSTRANCES.

Of sundry persons against changing the name of Burton alley to Burton street. Referred to the Committee on Streets.

ACCOUNTS REFERRED.

Wm. Mensch, for cleaning paved streets, &c., in September.

John Drexler, for services as Street Inspector for September.

Jacob Sohn, for same.

F. C. Schmelzer, for same.

John B. Sewell, for same.

Chas. Broshart, for same.

John Erb, for cleaning streets in front of public grounds in September.

Philip Shan, for same.

John Fisher, for same.

Woodward & Warner, for repairing bridge across Evans Ship Canal on Erie Street.

W. I. Williams, for repairing bridge across Prime Slip on Water Street. Referred to Committe on Streets.

F. Scheiffer, for constructing sidewalk on the westerly side of Oak street, between High and Carlton streets. Referred to the Committee on Side and Crosswalks.

Geo. Day, for labor and materials for Fire Department.

W. I. Williams (3) for same.

Bangasser & Bro., for same.

Hart, Ball & Hart, for same.

Thos. B. French, for repairs for Fire Department.

De Forrest & Coye, for coal for same.

Silsby, Mynders & Co., for rubber spring for same.

Donald Thane, for washing for same.

Henry S. Riddle, for same.

Fred. Joset, for same.

Cheeseman & Dodge, for team for steam fire engine in 1860. Referred to Committee on Fire.

Buffalo Water Works Co., for supply of water for quarter ending September 30. Referred to the Committee on water.

Elijah Wells, for amount paid for cleaning city office.

Cheeseman and Dodge, for livery to distribute ballot boxes in 1860.

Buffalo Gas Light Co., for gas for public buildings for quarter ending Sept. 30, 1861. Referred to Committee on Claims.

J. G. Turner, for new burners, &c., for Washington and Elk street markets. Referred to Committee on Markets.

Buffalo Gas Light Co., for gas for lamps for Sept.

J. G. Turner, for lighting, &c., public lamps in September. Referred to Committee on Public Lamps.

W. I. Williams, for repairing bridge across William st., between the N. Y. & Erie R. R. and the Williamsville road.

Alvin Joslyn, for repairing wood bridge on Clinton st., 100 feet east of the Williamsville road. Referred to Committee on New Territory.

Ald. Hanovan, by unanimous consent offered the following resolution:

Resolved, That the Common Council of the City of Buffalo intend to take and appropriate the land and property necessary to lay out and extend Perry street sixty-six (66) feet wide, from its present termination at the westerly boundary of the Buffalo & State Line Rail Road Company's land easterly to the old city line, the centre line of such extension to commence at the intersection of the centre line of Perry street, as now laid out, with the westerly line of the Buffalo and State Line Rail Road Company's land, thence running easterly in a direct line, for a distance of one thousand five hundred and seventy-six and one fourth (1,576¼) feet to the old city line, being the north-westerly line of the Buffalo Creek Indian Reservation.

And the City Clerk is hereby directed to cause the necessary notice of such intention to be published in twenty successive numbers of the city paper. Adopted.

REPORTS OF COMMITTEES.

By Ald. Adams—The Special Committee to whom was referred the matter of appointment of Inspectors of Election for the city of Buffalo, beg leave to report that they have had the subject under consideration, and for the purpose of avoiding any misunderstanding or confusion attendant upon the new division of the different wards, would propose to include in the list of new Inspectors of Elections, likewise those which were either elected or designated at the last fall election, and would offer the following resolution for your adoption:

Resolved, That the following persons be, and they are hereby appointed Inspectors of Election for the year 1861:

FIRST WARD.

1st Dist—Thomas Edmunds, Warren Lampman, John McManus.
2d " —Henry Ohlmer, James Lonergan, John Booth.
3d " —Thomas McKnight, W. W. Stanard, Truman H. Warner.

SECOND WARD.

1st Dist—James Boyd, Hugh Webster, Charles Brown.
2d " —David Bell, C. J. Wells, Charles J. Hubbard.
3d " —C. C. Bristol, Samuel Haines, Jos A. Rathborn.

THIRD WARD.

1st Dist—R. W. Ransom, Christ. Smith, Riley Saunders.
2d " —R. W. Voas, Norman Hagerman, John Stock.

FOURTH WARD.

1st Dist.—Arthor McArthor, William H. Smith, G. vom Berge.
2d " Christian Bronner, Jr., Jos. F. Monnier, Peter Ripont.
3d " William D. Fobes, Louis Hackmeyer, Frank Fisher.

FIFTH WARD.

1st Dist.—Christopher Benzinger, Frank Gerber, William F. Best.
2d " Casper Retel, Frank Smith, Valentine Young.
3d " Joseph Churchyard, J. L. Schmidt, J. E. Altenburg.

SIXTH WARD.

1st Dist.—John R. Walter, Louis Kuempel, Chas. Weser.
2d " John Stengel, Michael Beck, Frank Simon.
3d " Fred. Jacob, Jacob Hiemenz, Wendel Stern.

SEVENTH WARD.

1st Dist.—Seymour Bennett, G. F. Pfeifer, Jos. Zook.
2d " George Reinheimer, Edward Hazard, Philip Scheu.
3d " Fred Schmelzer, Charles H. Emerick, William Helriegel.

EIGHTH WARD.

1st Dist.—Hamilton Courter, Jessy G. Webb, W. McCray.
2d " D. M. Enright, M. P. Wellman, Jr., H. S. Cunningham.

NINTH WARD.

1st Dist.—G. W. Vining, Rufus Wheeler, Wm. Boggis.
2d " James Turner, J. G. D. Stevenson, John D. Smith.

TENTH WARD.

1st Dist.—John W. Kenny, Edward W. Palmer, Daniel H. Wiswell.
2d " D. F. Day, Watkins Williams, Chas. T. Lee.

ELEVENTH WARD.

1st Dist.—Wm. Hodge, Henry Tanner, Lyman B. Smith.
2d " A. Hull Thompson, Casper Hoffmeyer, Nelson Vanderlip.

TWELFTH WARD.

1st Dist.—A. H. Blossom, John Drewer, Wm. Post.
2d " Hanan Colvin, Samuel Ely, Henry E. Allen.

THIRTEENTH WARD.

Jacob Faber, Horace Buffum, James M. Galloway.

Adopted.

Ald. Adams by unanimous consent offered the following:

Resolved, That the City Clerk be authorized to procure a sufficient number of copies of the Registry Law and instructions in relation to same, as may be required for the use of the Inspectors of Election for the ensuing election. Adopted.

Ald. Mills by unanimous consent offered the following:

Resolved, That the Chief of Police and Chairman of the Committee on Police be directed to contract for the furnishing of the wood for the various Police Stations for the year commencing October 1st, 1861, at a price not exceeding $3 75 per cord. Adopted.

Ald. Savage moved that the Council do now adjourn. Carried.

The Common Council then adjourned to meet next Monday afternoon, October 7, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 35.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Oct. 7th, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council; and Ald. Adams, Allen, Brush, Crowder, Dayton, Felton, Goembel, Hannovan, Howard, Jones, Palmer, Russell, Savage, Scheu, Swartz, Storck, Wheeler, and Yaw.

Absent—Ald. Beckwith, Dorr, Grass, Mills, Pratt, Rutter, and Walsh.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM HIS HONOR THE MAYOR

MAYOR'S OFFICE,
Buffalo, Oct. 4th, 1861.

To the Hon. the Common Council:

GENTLEMEN:—At the session of your Hon. Body on the 23d inst., two resolutions were adopted which read as follows: "That the action of the Council in disbanding Live Oak Company, No. 2, be rescinded and that the engine be restored to said company." "That so much of the resolutions adopted by this Council on the 12th of August, 1861, disbanding Engine Company, No. 3, and directing the Fire Marshal to take possession of all property and fire apparatus in the house of said company belonging to the city, be and the same is hereby rescinded."

In my annual messages I recommended that steam fire engines be purchased and substituted for the ordinary engine. The recommendations seem to have been approved by your Hon. Body, by the purchase of such engines and by discharging hand engines. I have never doubted the propriety or importance of the steam fire engine system and a paid fire department, instead of the hand and volunteer services. Such a system has many advantages to commend itself to popular favor, not only by reason of its utility and practical effects, but by its moral influences.

The condition of the department on the 1st of January, 1860, was as follows: One steam engine, eleven hand engines. On the 1st of January, 1861, two steam engines, eight hand engines. At present four steam engines and five hand engines in active service, and if those two companies are re-instated the present force will be larger in number than on the 1st of January last, without considering the greater efficiency of the additional steam engines over hand engines.

The force is now larger than the most timid and prudent citizen could desire, and in my opinion unnecessarily and extravagantly large. Economical considerations demand that the force be reduced. The appropriation for the support of the department, for the year, was made with the understanding that such should be the case. The appropriation will not be sufficient to sustain the department at the present rate of expenditure.

A number of engine houses are now vacant, and should be used as police stations, or exchanged for other property more suitable for such purposes; the remainder should be sold. I suggest to your honorable body that you should at once determine what system is to be pursued, and what property belonging to the city can be applied to other uses.

The only objection that is urged against disbanding the two companies mentioned, is that there are no other companies in their immediate vicinities, and that their respective localities are very much exposed. If such is the case, I doubt not but your honorable body will give the complaint your immediate attention, and remove the anticipated danger, but which should be done without any further increase, unless by the purchase of an additional steam engine.

The reasons I have assigned are sufficient to compel me, as an act of duty, to return the resolutions mentioned to your honorable body without my approval thereof.

I have been served with a summons to appear before the Superior Court, to answer to the demand of Christian Gerlach, who claims damages to the amount of two hundred and thirty-seven dollars.

Very respectfully,

F. A, ALBERGER, Mayor.

Laid on the table temporarily.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER

GENTLEMEN:—Wm. P. Fisher holds scrip No. 3827 of June sale 1858, on School lot in District No. 16. Tax interest and expenses of which, amount at this date to $38 79, and I would recommend that an order be drawn in my favor for this amount on the Local fund of School District No. 16, with which to redeem said lot from said sale.

ALONZO TANNER, Comptroller.

Referred to Committee on Finance.

FROM THE CITY ATTORNEY.

I hereby report that on the 23d day of September, A. D. 1861, the Referees made their report in the suit of Peter Cramer against the city of Buffalo, by which they

find for the plaintiff the sum of $565 67, and allow interest thereon from the commencement of the action, January 2d, 1858, the interest amounts to $147 33, and the costs have been adjusted at $215 19, making a total of $929 19: by agreement between the attorneys no judgment is to be entered until your honorable body shall determine what further disposition shall be made of the suit.

GEORGE WADSWORTH, City Attorney.

Referred to the Committee on Schools.

FROM THE STREET COMMISSIONER.

In compliance with your directions in resolutions passed March 25th, September 23rd, 1861, the undersigned caused the public well on the southerly side of Eagle street, about 400 feet easterly from Michigan street, to be repaired and a new pump furnished and placed therein, at the following expense, to wit:

For repairing and deepening the well	$85 38
for furnishing and placing in the pump	18 94
Aggregate expense	$104 32

L. J. WATERS, Street Commissioner.

Referred to the Committee on Water.

FURTHER FROM THE STREET COMMISSIONER.

In compliance with your directions, the undersigned advertised for proposals to construct a brick sewer in Maple street, from the termination of the present sewer in Maple street to Virginia street, (so called) and have received the following, to wit:

John Wannop, for constructing the sewer per lineal foot				98cents.
Henry Harter, Jr., for	do	do	do..	93 "
James Harraden, for	do	do	do..	93 "
Patrick Lynch, for	do	do	do..	87 "
A. H. Giddings, for	do	do	do..	89 "

The above proposals are for furnishing the necessary materials and constructing the sewer in accordance with the specifications.

L. J. WATERS, Street Commissioner.

Referred to Committee on Sewers.

FURTHER FROM THE STREET COMMISSIONER.

The undersigned reports the following named repairs made and works completed under his direction, at the expense severally as hereinafter specified, to-wit:

Tupper street repaired between Ellicott and Oak streets —$24 66.

Michigan street paving repaired over hole between Swan and Seneca streets—$2 00.

Sixth street repaired at the crossing of Vermont street —$2 50.

Culvert repaired across Elmwood Avenue, about 150 feet southerly from Bouck Avenue—$7 91.

Alabama street repaired between Seneca and Exchange streets—$29 99.

Culvert constructed across Austin street on the easterly side of Niagara street—$14 82.

Sewer in Louisiana street, extending to and through the stone abutments at back end of the bridge across the Main and Hamburgh Street Canal—$90 56.

L. J. WATERS,
Street Commissioner.

Referred to Committee on Streets.

The Street Commissioner also reported the amount due to the keeper of the Court House Park, for services during the month of September, and recommended that an order be drawn for same. Filed and order directed to be drawn.

FURTHER FROM THE STREET COMMISSIONER.

Mr. Isaac Holloway asks for a payment to apply on contract for grading and paving Niagara street; from the northerly line of Amherst street to the northerly line of Hamilton street.

The amount of said contract	$2825 14
Amount paid on the same	00 00
Amount of work done on the same	1,600 00
Amount proposed to be paid at this date	1,200 00

L. J. WATERS, Street Commissioner.

Ald. Swartz moved that such communication be received and filed and that an order be drawn as recommended. Carried.

FROM THE CITY SURVEYOR.

In compliance with your order of Sept. 30th I have examined the wreck of the late Cazenovia Road Bridge over the Cazenovia Creek, with reference to ascertaining what portion of the old materials, intended to be used in the proposed repairs of the said bridge has been lost.

There is nothing left of the old bridge fit to be used, with the exception of the iron, of which, when reworked, there will be sufficient for a new bridge.

The south abutment is entirely washed away, and the north abutment nearly destroyed.

In view of all these facts, I submit herewith a plan for a first class single track bridge of 75 feet span (9 feet more than the old one) with stone abutments. The roadway to be 16 feet wide in the clear.

The proposed bridge is to be 18 inches higher than the old one, and will require the following quantities of work for its construction, at a cost, in my opinion, of about $1,200.

Masonry 156 6-10 cubic yards; timber and plank 11,600 feet b. m; old iron reworked 966 pounds, cast iron 140 pounds; embankment 300 cubic yards; painting $30 00.

PETER EMSLIE, City Surveyor.

Referred to Committee on New Territory.

FROM THE SUPERINTENDENT OF SCHOOLS.

There is due to Martin Scheu, late Janitor of the Central School, the sum of eight dollars for four weeks services as Janitor during the month of January, 1861. I recommend that an order for that amount be drawn in his favor.

SANFORD B. HUNT.
Superintendent of Schools.

Referred to Committee on Schools.

The City Treasurer reported the amount due the Clerk employed in his office for services during the month of September, and recommended that an order be drawn for same. Filed and an order directed to be drawn.

The Overseer of the Poor reported the amounts due the Clerks employed in his office during the months of August and September, and recommended that orders be drawn for same. Filed and orders directed to be drawn.

FROM THE CITY CLERK.

In accordance with instructions I have obtained from Weed, Parsons & Co., Albany, fifty copies of Registry Laws, instructions, &c., for the use of the Inspectors at the coming election.

I would respectfully recommend that an order be drawn in my favor for three dollars, on the General Fund Election Expense Department of 1861, in full for such purchase.

O. F. PRESBREY, City Clerk.

Referred to the Committee on Claims.

The City Clerk also reported the amount due to A. B. Dickinson, for salary as Harbor master for the month of September. Also the amount due the City Scavenger, for services during same month, and recommended that orders be drawn for the same. Filed and orders directed to be drawn.

The City Clerk also reported that the following named Assessment Rolls had remained on file in his office more than ten days since the first publication of a notice in the city paper, that the same were so filed, and that persons interested might file applications for the correction of the same, and that no such applications had been filed with him, viz:

No.	Amount ordered by Common Council.	Amount added by Assessors.	Total amount of Assessment.
2499—For the purpose of paying for the building, furnishing and the repairs of the school house and the appurtenances thereto in School District No. 6	$500 00	$5 00	$505 00
2500—For the purpose of paying for the building, furnishing and repairs of the school house and the appurtenances thereto in School District No. 24	300 00	5 00	305 00
2501—For the purpose of paying for the building, and furnishing of a primary school building, and the repairing of the school house, and the building and furnishing the appurtenances thereto, in School District No. 15	2400 00	5 00	2405 00
2502—For the purpose of paying for the building, furnishing and repairs of the school house, and the appertenances thereto, in School District No. 16	250 00	5 00	255 00
2503—For the purpose of paying for the building, furnishing and repairs of the school house, and the appurtenances thereto, in School District No. 18	150 00	5 00	155 00
2504—For the purpose of paying for the building, furnishing and repairing the school house, and the appurtenances thereto, in School District No. 20	250 00	5 00	255 00
2505—For repairing and maintaining the public well and public pump No. 3, at the corner of Elm and Tupper streets	14 00	1 25	15 25
2506—For repairing the sidewalk on the easterly side of Gray street, between Genesee and Batavia streets	69 04	50	69 54
2507—For repairing plank sidewalk on the easterly side of Norton street, between Water and Peacock streets	27 00	30	27 30
2508—For repairing the plank sidewalk on the southerly side of Edward street, between Delaware and Virginia streets	33 92	45	34 37
2509—For repairing the plank sidewalk on the easterly side of Ninth street, between York and Jersey streets	8 50	30	8 80
2510—For repairing the plank sidewalk on the southwesterly side of Palmer street, between Virginia street and a point 150 feet southeasterly therefrom.	4 40	30	4 70
2511—For constructing a plank sidewalk on the northeasterly side of Ninth street, between Hudson and Pennsylvania streets	9 76	30	10 06
2512—For repairing the plank sidewalk on the northerly side of Carroll streets, between Michigan and Chicago streets	39 31	60	39 91
2513—For repairing the plank sidewalk on the southerly side of Carroll street, between Michigan and Chicago streets	38 56	50	39 06
2514—For repairing the plank sidewalk on the southeasterly side of Massachusetts street, between Tenth and Eleventh streets	14 92	30	15 22
2515—For constructing a plank sidewalk on the westerly side of Sixth street, between the southerly curb line of Fort street and a point 1000 feet southerly therefrom	35 72	52	36 22
2516—For repairing the sidewalk on the northerly side of Ohio street, between Indiana and Illinois streets	9 97	50	10 47
2517—For constructing a plank crosswalk across Monroe street, on the westerly side of Sycamore street	6 08	42	6 50
2518—For constructing a stone crosswalk across Franklin street, on the southerly side of Carrol street	95 06	44	95 50

2519—For reconstructing a sewer and receiver on the west side of Maiden Lane, about 25 feet northerly from Fly street....	11 85	50	12 35
2520—For reconstructing a receiving sewer at the northeast corner of Perry and Hayward streets	13 63	75	14 38
2521—For reconstructing a receiving sewer at the northwest corner of Perry and Hayward streets	13 63	75	14 38
2522—For reconstructing a wood culvert across Summer street, on the easterly side of Rogers street	7 99	81	8 80
2523—For constructing a wood culvert across Rogers street, 51 feet south of Butler street....	5 66	34	6 00
2524—For repairing the wood culvert across Niagara street, between Austin and Farmer streets	13 46	2 30	15 76
2525—For repairing the wood culvert across Fourteenth street, on the easterly side of Connecticut street.....	4 83	92	5 75
2526—For repairing the wood culvert across Allen street, on the south-easterly side of Delaware street.....	6 92	50	7 42
2527—For opening the gutter on the north side of Ferry street, between Niagara street and a point 250 feet easterly from North Jefferson street.....	15 00	75	15 75
2528—For constructing a wood bridge across a ravine on Elk street, 286 feet easterly from Dole street.....	75 00	1 70	76 70
2529 For repairing the bridge across Cazenovia Creek, on Cazenovia road (or street)...	475 00	8 32	478 32
2531 For grading and paving Huron street, from the curb line on the westerly side of Morgan street, to the N. Y. State Reservation line.....	1151 06	5 94	1157 00
2532 For repairing Clinton street, between the New York Central R. R., and the Buffalo, New York and Erie R. R.	47 87	2 00	49 87

The following communication was received from the City Attorney:

I hereby report that I have examined an abstract of your proceedings in regard to Assessment Rolls Nos. 2499 to 2532, both inclusive; and am of the opinion that said proceedings have been regular and in accordance with the provisions of the Charter.

GEORGE WADSWORTH, City Attorney.

Received and placed on file.

Ald. Howard moved that the several rolls named in the foregoing communication from the City Clerk be confirmed. Carried.

The City Clerk also reported that the following named assessment roll had remained on file in his office more than ten days, since the first publication of a notice in the city paper, that the same was so filed, and that P. Hodge and H. C. Bryant had filed an application for the correction of the same, viz:

No. 2530, for graveling the carriageway on Delaware street, and opening the gutter on both sides of said carriageway from Virginia to North street, and from a point 200 feet north from North street to Utica street, amount $2,039 00.

Ald. Palmer moved that the time for the consideration of said roll and the hearing of parties interested therein, be fixed for one week from to-day. Carried.

Assessment Roll No. 2,471 For constructing and maintaining a public well and pump near the northwest corner of Michigan and Carlton streets, amount $313—the time for the consideration of which had been postponed until to-day—was taken up.

Ald. Jones moved that said roll be confirmed.

Pending the above motion, Ald. Jones, from the Committee on Water, made a verbal report, stating that the Committee on Water had examined as to the construction of the well for which the assessment in question was made, and found that the said well had been completed in accordance with the terms of the contract.

The motion of Ald. Jones, that said roll be confirmed, was then carried.

Assessment Roll No. 2,472. For repairing Perry street from Hamburgh street to a point 300 feet easterly therefrom, amount $82—the time for the consideration of which, and the further hearing of parties interested therein, had been postponed until to-day—was taken up.

Ald. Hanovan moved that said roll be annulled. Carried.

Ald. Howard then moved that the subject-matter of the work for which said roll was made, together with the original order for said work, be referred to the Committee on Streets for investigation and report. Carried.

On motion of Ald. Howard, the following report from the Committee on Streets, presented to the Council Sept. 9, 1861, and laid upon the table, was taken up:

The Committee on Streets, to whom was referred the subject matter of ordinance in relation to Street Railroads,

Report that they have had the subject-matter under consideration, and have concluded to report the following to the Council, and recommend its adoption;

Resolved, That the Common Council of the City of Buffalo, by virtue of the power and authority in them vested by the Charter of said city, do hereby ordain and enact the following, as chapter, XXVIII, of the ordinances of said city, to be entitled "Of Street Railroads:"

CHAPTER XXVIII.

OF STREET RAILROADS.

SECTION 1. No person shall place, lay, drive, or suffer or permit to go, stand, or remain, wholly or partly, on the track of any of the Street Railways, now constructed, or hereafter constructed, in the city—or any street where any track or tracks of any such Railway may be now or hereafter constructed or laid, any wagon, carriage, vehi-

cle, animal, or other obstruction or thing, with the intent to hinder, delay, or obstruct the free use of such Railway, or the free passage and running of Cars over and along the same, or over or along any part thereof.

§ 2. Every person walking, riding, standing, or driving upon any of said Railway tracks, on the approach of any Car or Cars, and after notice of such approach, by four or more strikes of the bell of the Car approaching, or other sufficient notice, shall immediately remove from said track, so as to permit said Car or Cars to pass freely without unnecessary delay.

§ 3. No person shall place, or cause to be placed, upon the rails or track of any Street Railroad, any stones, wood, or any other substance, tending to hinder, injure, delay, or obstruct the free passage or running of any Car upon the same, or of the animals attached thereto, or throw any stone or other missile at or towards any Car, or the passengers or persons thereon, or the animals attached thereto, with intent to delay or injure the said Car, persons or animals; nor shall any person discharge any firearms or fireworks at or near any of said Cars, passengers or animals, with intent to injure the said Cars, or frighten the animals attached to the same.

§ 4. No person shall seize, hang upon, get into, or stand upon any of said Cars, without intent to ride upon the same as a regular passenger; nor shall any passenger make or cause any disturbance, or be guilty of disorderly conduct, be intoxicated, or use obscene or profane language, on any of said Cars. Any person violating this last prohibition, may be rnmoved from the Car by the the person or persons in charge of the same, and shall also be subject to the penalty hereinafter provided.

§ 5. Any person offending or violating any of the provisions of the first section of this chapter, shall forfeit and pay a penalty of not less than five dollars, nor more than twenty dollars for each and every violation. Any person offending or violating any provision of the second section, shall forfeit and pay a penalty of not less than five, or more than twenty dollars. Any person offending or violating any provisions of the third section shall forfeit and pay a penalty of not less than two, nor more than fifteen dollars. Any person offending or violating any of the provisions of the fourth section, shall forfeit and pay a penalty of not less than five, nor more than twenty dollars for each and every offence. And in case the personso offending shall be a minor, then the paren or guardian of such minor, as well as such minor himself, shall be subject to the payment of the penalty incurred. The amount of the penalties within the limits above prescribed, shall be fixed and determined by the Court, before whom the action or proceeding for the recovery shall be had.

§ 6. Any officer or attorney of any owner of said cars, upon which any offence, under the provisions of this chapter shall have been committed, may commence, prosecute and conduct to judgment, and on appeal, in the corporate name of the city, actions, suit and proceedings, for any and all of such penalties, provided always such owner or owners of such cars, shall indemnify and save harmless the said city, of and from all costs of such action, proceeding or appeal, in case the plaintiff shall fail to recover; the undertaking to indemnify, and save harmless the said city, shall be approved by the Court before whom such action shall be brought or proceedings had. All penalties recovered under any of the provisions of this chapter shall belong to the City of Buffalo, and be paid to the Treasurer thereof.

§ 7. The foregoing chapter of ordinances, or any part thereof, shall not be construed in any manner to relieve any railroad company heretofore organized, or hereafter to be organized, from the full and complete compliance on their part with all the terms, stipulations and conditions under which their respective grants shall have been made, or may hereafter be made, or amendments made thereto.

Ald. Palmer moved that said report be adopted. Carried. Ayes, 18; Noes, 1.

Ald. Felton moved that the City Clerk cause such ordinance to be published in the city paper as required by the City Charter, and also cause the same to be printed in pamphlet form with the ordinances heretofore enacted. Carried.

Ald. Rutter here appeared and took his seat.

The written resignation of Christian Smith, of the office of Inspector of Election for the 1st district of the Third Ward was presented. Filed and resignation accepted.

Ald. Allen moved that Geo. A. Albro be appointed Inspector of Election for the 1st district of Third Ward, in place of Christian Smith, resigned. Carried.

The written resignation of Louis Kuemple of the office of Inspector of Election for the 1st district of the Sixth Ward was presented. Filed and resignation accepted.

Ald. Goembel moved that Francis Smalle be appointed Inspector of Election in place of Louis Kuemple, resigned. Carried.

The written resignation of George Reinheimer of the office of Inspector of Election for the 2d district of the Seventh Ward, was presented. Filed and resignation accepted.

Ald. Swartz moved that Peter Frank be appointed Inspector of Election in place of Geo. Reinheimer, resigned. Carried.

PETITIONS.

Of Wm. P. Fisher, for a declaration of sale on certificate of tax sale No. 3120, sale of June, 1858, on lot on west side of Park Place, 55 feet northeast of Johnson Place, 6 feet front by 128 feet deep, east line.

Of James Brayley, for release of lot from tax sale.

Of Ira Merrill, to have tax remitted. Referred to the Committee on Finance.

Of Wm. H. Glenny and others, to have sidewalk on the west side of Hamburg, between Mackinaw and South streets, repaired.

Same, to have sidewalk on the north side of South street between Tennessee and Vandalia streets repaired.

Of H. M. Kinnee and others, to have crosswalks across Franklin street on both sides of Huron street repaired.—Referred to the Committee on Side and Cross Walks.

Of James Ryan and others, to have fine imposed on Eleanor Johnson for violating city ordinance, remitted. Referred to Committee on Police.

Of James Monroe, for a license to sell fresh meat on Virginia street near Palmer street, and for permission to build a wooden building to sell it in.

Of J. S. Smith, for a license to peddle fresh meat by the quarter, &c.

Of J. W. Peckham, for the same.

Of Robert Craig, for the same.

Of Tobias Faust, for license to sell fresh meat at the northwest corner of Eleventh and Virginia streets.

Of Wm. Barke, for same on west side of Niagara near Breckinridge street.

Of Peter Kersch, for same, on Canal tow path between Hamilton and Austin streets. Referred to the Committee on License.

Of sundry persons, to have nuisance abated on the southeast corner of Pine and South Division streets. Referred to the Committee on Sanitary Measures.

Daniel McFarlane, for Firemans certificate. Referred to City Clerk with power.

Petition of Lazar Wild, for a license to peddle flesh meat by the carcass.

Ald. Storck moved that the prayer of the petitioner be granted. Carried.

Petition of Capt. John Nicholson, for the release of G. W. Allen, Jr., from confinement in the Erie County Penitentiary.

Ald. Allen moved that the prayer of the petitioner be granted. Carried—Ayes 18; noes 0.

Petition of Capt. John Nicholson for the release of Wilson Randall from confinement in the Erie County Penitentiary.

Ald. Allen moved that the prayer of the petition be granted. Carried—Ayes 18; noes 0.

Petition of M. Weidrich for the release of Joseph Geiber from confinement in the Erie County Penitentiary.

Ald. Swartz moved that the prayer of the petitioner be granted. Carried—Ayes 19; noes 0.

Petition of George Parr to remove the building he occupies as an office on the northwest corner of Court and Fifth street, to the south side of Court street, to be used for the same purpose.

Ald. Felton moved that the prayer of the petitioner be granted under the direction of the Street Commissioner—Carried—Ayes 18; noes 0.

Petition of Franklin Sidway for permission to erect a temporary wooden shed on the northwesterly side of his brick warehouse on Water street.

Ald. Jones moved that the prayer of the petition be granted under the direction of the Fire Marshal. Carried. Ayes 19; noes 0.

Petition of sundry owners of stalls in the Elk Street Market for the privilege of using the passage way under the dome of said market to the width of two flags from the curb stone, or so much thereof as may be necessary to afford some shelter from the inclemency of the weather.

Ald. Howard moved that the prayer of the said petition be granted.

Ald. Storck moved as an amendment to the motion of Ald. Howard that the following be added thereto, "subject to the further order of the Council." Amendment accepted, and the motion of Ald. Howard as amended was then carried. Ayes 18; noes 0.

Petition of sundry owners of vessel property to have action taken in the matter of removing the bar at the entrance of Buffalo Creek.

Ald. Bemis offered the following:

Whereas, Notice of intention has been duly given that the Common Council will dredge Buffalo Creek from the west end of the north pier to the southerly side of South street, and proposals having been received by the City Surveyor and Committee on Wharves, Harbors and Ferries, for said improvement, therefore,

Resolved, That it is hereby ordered and determined by the Common Council of the City of Buffalo that Buffa'o Creek be dredged, and all obstructions removed therefrom, from the west end of the north pier to the southerly side of South street, so as to create a sufficient depth of water for the largest class of vessels engaged in the commerce of the Lakes, and that when an assessment shall be confirmed to defray one half of the expense of said improvement, in accordance with the estimate of the City Surveyor, the said City Surveyor and Chairman of the Committee on Wharves, Harbors and Ferries, are hereby authorized and directed to contract with the lowest bidder for said work, or such other party or parties as will best subserve the interests of the city.

Resolved, That Assessment Roll No. 2899, for $3,005 taxes and expense of assessment to defray one half the expense for dredging Buffalo Creek, from the west end of the north pier to the southerly side of South street, be now taken from the table, and the same is hereby confirmed.

Resolved, That it is hereby ordered and determined by the Common Council of the City of Buffalo, that Buffalo Creek be dredged, and earth deposit excavated therefrom, outside the North Pier, in accordance with the survey and report of the City Surveyor, presented to this Council, August 19th, 1861, and the said City Surveyor and Chairman of the Committee on Wharves, Harbors and Ferries, are hereby authorized and directed to contract forthwith with the lowest bidder for said improvement, or such other person or persons as will best subserve the interests of the city.

Ald. Felton was called to the chair.

Ald. Bemis moved that the first of said resolutions be adopted. Carried. Ayes, 19; Noes, 0.

Ald. Bemis then moved that the second of said resolutions be adopted. Carried. Ayes, 19; Noes, 0.

Ald. Bemis then moved the adoption of the third of said resolutions. Carried.

REMONSTRANCES.

Of William Sinsel and others against the construction of a sewer in Monroe street, between Batavia and Peckham streets. Referred to Committee on Sewers.

ACCOUNTS REFERRED.

Hamlin & Mendsen, for sundries for School House No. 6.

Same, for sundries for School House No. 7.

W. Emmons, for work and materials for Sundry Schools.

Clapp, Matthews & Waite, for printing for School Department.

Martin Sheu, for sawing wood for Central School.

Jane Weeks, for cleaning School House No. 6. Referred to Committee on Schools.

A. D. Morton, for repairing Alabama street, between Seneca and Exchange streets.

David Walker, Jr., for repairing Tupper street, between Ellicott and Oak streets.

John Andrus, for repairing Michigan street, between Swan and Seneca streets. Referred the Committee on Streets.

A. S. Swartz, for extending sewer in Louisiana street to Main and Hamburgh Street Canal. Referred to Committee on Sewers.

Thos. B. French, for two Hose Carts for Fire Department.

W. H. H. Newman, for Hose Couplings, &c., for Fire Department.

March & Dicky, for sundries for Fire Department

A. Martin, for Hay for Fire Department. Referred to Committee on Fire.

John Overfill, for cleaning well on southerly side of Hampshire street, between Tenth and Eleventh streets. Referred to Committee on Water.

Clapp, Matthews & Waite, (7ac) for printing for various city offices.

C. Lake, for services as Crier to Superior Court.

Harriet Atwood, for cleaning city offices.

C. Measel, for services in Assessor's office.

John D. Smith & Co., for sundries for Jubilee Water Works.

Sundry Persons (11ac), for labor and material for Jubilee Water Works.

P. H. Bender, (12ac), for printing for various city offices. Referred to Committee on Claims.

Adam Jones, for commitments to Penitentiary.

John O. Hopkins, for commitments to Penitentiary.—Referred to Committee on Police.

C. G. Mathews, for repairing hose for Court House Park. Referred to Committee on Public Grounds.

Wm. Farmer, Jr., for constructing wood culvert across Austin street, on easterly side of Niagara street.

Same, for repairing wood culvert across Elmwood Avenue, 150 feet southerly from Bouck Avenue.

Wm. Mensch, for repairing Sixth street, at the crossing of Vermont street. Referred to Committee on New Territory.

Samuel Green, for services as Keeper of Parks on Prospect Hill. Referred to Special Committee on Prospect Hill Parks.

The President resumed the Chair.

REPORTS OF COMMITTEES.

By Ald. Adams—The Special Committee to whom was referred the matter of designating proper places for holding elections, &c., beg leave to report that they have had the subject under consideration and would offer the following resolution for adoption:

Resolved, That the places hereinafter named, be and are hereby designated and fixed by the Common Council of the City of Buffalo, as the places for holding the Polls in the several election districts of said city, for the ensuing year, namely:

FIRST WARD.

1st District—At the house of Wm. F. Robinson, corner of Indiana and Ohio street.

2d District—At the house of James Sullivan, corner of Chicago and Elk street.

3d District—At the Engine house, No. 2, on Elk street.

SECOND WARD.

1st District—At No. 194 Washington street.

2d District—At Engine House on South Division street, between Washington and Ellicott street.

3d District—At the house of John O'Hara, corner of Elm and North Division streets.

THIRD WARD.

1st District—At the house of Wm. Hughes, corner of Seneca street and Kinney's Alley.

2d District—At Junction House at Hydraulics.

FOURTH WARD.

1st District—At the Old Court House.

2d District—At the Turner's Hall on Ellicott street, south of Genesee street.

3d District—At Weller's Block, corner of Elm and Tupper streets.

FIFTH WARD.

1st District—At the house of Jos. Herman, corner of Clinton and Pine streets.

2d District—At the house of Jacob Wolf, corner of Batavia and Pratt streets.

3d District—At the house of Casper Schaefer, corner of William and Adams streets.

SIXTH WARD.

1st District—At the house of John Misho, corner of Batavia and Pine streets.

2d District—At the house of Jos. Blaser, corner of Sycamore and Pratt streets.

3d District—At the house of Fredric Long, corner of Genesee and Gray streets.

SEVENTH WARD.

1st District—At the house of Frank Winter, corner of Goodell and Oak streets.

2d District—At the house of Martin Frank, corner of Michigan and Best streets.

3d District—At the house of Jos. Yarhouse, corner of Cherry and Hickory streets.

EIGHTH WARD.

1st District—At the house of John Rohr, corner of Terrace and Erie streets.

2d District—At the house of Geo. H. Smith, corner of Terrace and Mechanic streets.

NINTH WARD.

1st District—At the Street Commissioner's Office, on Franklin streets.

2d District—At the house of Jacob Sohm, corner of Niagara and Maryland streets.

TENTH WARD.

2d District—At the Engine House, No. 11, on Pearl street.

1st District—At the house of Henry Milring, No. 104 Tupper street, near Carolina.

ELEVENTH WARD.

1st District—At the old brick School House on west side of Main street, between Ferry and Utica streets.

2d District—At the house of S. W. Cornwell, corner of Niagara and Vermont streets.

TWELFTH WARD.

1st District—At the house of Mrs. Mesner, corner of Niagara and Austin streets.

2d District—At the house of Mrs. Friedman, corner of Main and Amherst streets.

THIRTEENTH WARD.

At the house of Christian Hussong.

Ald. Felton moved to amend said report by adding the following:—That the City Clerk be directed to publish in the *Catholic Sentidel* and in the *Christian Advocate*, the necessary notice of the coming city election, at a price not to exceed ½ of the legal rates. Amendment accepted by Ald. Adams.

Ald. Howard then offered the following as a further amendment to said report:—That this Council have no power under the charter to order the publication of the notice of the election in more than three daily papers, as provided in section 10, of title 2 of the charter.

Ald. Storck moved the previous question which was ordered. Ayes, 14; Noes, 2.

The question was then taken on the amendment offered by Ald. Howard, and the same was carried.

Ald. Howard called for a division of the questions contained in said report.

The Chair decided that the previous question having been ordered, it was incompetent to divide the questions in said report.

Ald. Howard appealed from the decision of the Chair.

The decision of the Chair was sustained. Ayes, 12; Noes, 4.

The question then being on the adoption of said report as amended, the same was lost. Ayes,7; Noes, 11.

Ald. Adams moved that the several votes taken on the said report, and on the amendments thereto, be reconsidered. Carried. Ayes, 18; Noes, 0.

Ald. Adams then moved that the said report as originally presented, be adopted.

Ald. Felton moved to amend said report by adding thereto the following:

That the City Clerk be directed to advertise the general city election notice in the Catholic *Sentinel* and in the *Christian Advocate*, at a price not exceeding one-half the legal rates.

Ald. Storck moved to amend the amendment offered by Ald. Felton by striking out the words "Christian Advocate" and inserting in place thereof the words "Free Press." Lost.

Ald. Storck moved to amend the amendment offered by Ald. Felton by striking out all after the word "Resolved." Carried.

The amendment offered by Ald. Felton as amended was then lost.

And the motion of Ald. Adams that said report as originally presented by him be adopted was then carried.

Ald. Storck, by unanimous consent, offerd the following resolutions:

That L. P. Adolff be and he is hereby appointed one of the Inspectors of Election for the Second District in the Fourth Ward, in the place of Peter Ripont—said Ripont not residing in said District. Adopted.

That Jacob Weil be, and he is hereby appointed one of the Inspectors of Election in the First District of the Fourth Ward, in place of Arthur McArthur, who has moved out of the Ward. Adopted.

On motion of Ald. Hanovan, the communication from the Mayor, presented to the Council this day, and laid upon the table, was taken up.

Ald. Hanovan moved that the action of this Council had September 23rd, 1861, rescinding the disbanding of Engine Company No. 2, and restoring the engine to said Company, be adopted, notwithstanding the objections of his Honor the Mayor. Lost for want of a two-third vote. Ayes, 18; noes, 6.

Ald Howard then moved that said communication be filed, and that the subject matter of so much thereof as relates to the Fire Department be referred to the Committee on Fire, and that the subject matter of the balance be referred to the City Attorney.

Ald. Hanovan moved to amend the motion of Ald. Howard so that the subject matter of said communication be referred to the Committee on Fire, with instructions to report to this Council at its next meeting, in favor of restoring said Engine Company No. 2. Lost.

And the motion of Ald. Howard was then carried.

Ald. Howard, from the Committee on Finance, reported in favor of the adoption of the following resolutions:

That the City Treasurer be and he is hereby authorized and directed to pay, on presentation, all local fund orders drawn against any of the local funds, the balance upon which, debit or credit, have been consolidated into "the local fund balance account" upon his books, and charge the same to that account; and that the Comptroller, upon the return of such order to his office by the Treasurer, be and he is hereby authorized to debit the same fund on his books with the amount of the interest dues paid by the City Treasurer, specifying the date, amount and fund on which each such order is drawn.

Resolved, That the City Treasurer publish a notice in the city paper that he will pay such orders, and that on the first day of November next interest on all such orders not presented for payment will cease. Adopted.

That the City Treasurer be and he is hereby directed to publish a notice in the city paper and in some German paper to all holders of General Fund city orders for the years 1859 and 1860, to present the same to his office for payment, and that interest on all such orders as shall not be presented within 20 days from the date of such notice, will thereafter cease. Adopted.

That the Hon. Board of Supervisors of Erie County be respectfully requested to direct the Keeper of the Erie County Penitentiary to pay into the city treasury, forthwith, all fines and penalties which shall be paid to him by persons from time to time committed to such Penitentiary for violations of the City Charter, or City Ordinances, pursuant to the provisions of section 15 of title 3 of the Charter; and that he be required to report to the Common Council, as often as once in six months, showing what fines have been paid to him, and by whom and when, and what disposition has been made of them.

Also, that he be required to forthwith pay into the city treasury all such fines as have heretofore been paid to him, and to report to the Common Council by whom and when paid to him.

That the City Clerk be and he is hereby directed at his earliest practicable convenience, to serve a copy of this report and resolution upon the President of the Board of Supervisors, and request the same to be presented to such Board, and that he also present to such President a copy of the City Charter. Adopted.

That the Comptroller be and he is hereby directed to cancel the following two orders, which this Council on the 12th day of August last ordered to be drawn in favor of John Wannop, viz: One on the Local Improvement Fund for one 16-100 dollar; and one on the fund for the receiving sewer at the northwest corner of Clinton and Spring streets, for three 66-100 dollars, and issue instead thereof two other orders in favor of John Wannop, one on the local improvement fund for two 11-100 dollars, and one on the fund of the receiving sewer at the north. west corner of Clinton and Spring streets for two 71-100 dollars. Adopted.

That the Auditor be and he is hereby directed in auditing all accounts for local improvement, which by the terms of the city charter may be paid either out of the local or special local improvement funds, and which shall

not exceed $25, to direct a report in favor of the payment of the same out of either of such funds as shall be appropriate, when there are moneys in such funds, for the payment of such accounts. Adopted.

That the Street Commissioner be and he is hereby directed, in making all contracts for such improvements as may be ordered by the Common Council, the expense of which may be paid out of the local or special local improvement funds, and which shall not exceed $25, to contract for such work, to be paid for in orders drawn upon one of said funds as the case may be, on the auditing and allowance of the account therefor. Adopted.

That an order be drawn on the General Fund, 1861, Erroneous Tax Department, in favor of Sister Robertin, for the sum of $14 45, to refund so much erroneous general lamp and water tax, 1861, on lot on Batavia street, southeast side, 90 feet northeast of Ellicott street, being 40 feet front by 100 feet deep. Adopted.

That the Comptroller deliver to George R. Babcock, Orsamus H. Marshall and Joseph G. Masten, Esqs., Trustees of the Grosvenor Library, appointed under the act of the Legislature of the State, passed April 11, 1859, the securities and papers relating to such library fund in his hands as Comptroller, and take their receipt therefor, and file the same in his office. Adopted.

That the Comptroller report to this Council at its next meeting whether the interest which has been paid on securities belonging to that fund payable in the city of New York, has been paid by checks or draft on bank in New York which have been sold for a premium, and if so by whom and for what amount in the aggregate, and whether such premium has been placed to the credit of the said fund in the City Treasury. Adopted.

That the Comptroller on the first day of November apportion to said fund its proportionate share of interest received by the city from deposit Banks up to that date, and that the Treasurer report to this Council as early as practicable the aggregate amount of moneys to the credit of such fund on his books including such interest. Adopted.

That the prayer of the petition of Christian Dier, asking to have tax sale of lot on Seneca street, north side 225 feet west of Heacock street, being 25x100 feet, be denied for want of proof of payment. Adopted.

Ald. Howard was excused from further attendance at this meeting.

Ald. Wheeler, from the Committee on Schools, reported in favor of allowing the following accounts and of drawing orders for same:

Peter Burgard, for wood for schools—$808 47.

Lewis Baker, for brooms for schools—$10 50.

W. H. Hu.ted, for coloring walls at school house, No. 1—$6 00.

Magdalena Ullman, for cleaning school house, No. 13—$11 25. Adopted.

Also, in favor of the adoption of the following resolution:

That the action of the Superintendent of Schools, in causing the inside walls of school house, No. 32, to be papered, be and the same is hereby authorized and approved by this Council. Adopted.

Also in favor of allowing the following account, and of drawing an order for the same:

Wesley Emmons, for labor, &c., at sundry School Houses; charged at $116 19, allowed at $116 03.—Adopted.

Also in favor of drawing an order for $1 50, in favor of S. B. Hunt, for amount paid by him for cleaning School House No. 29. Adopted.

Also in favor of the adoption of the following Resolution:—

That an order be drawn to George Wadsworth, Esq., City Attorney, on the 1861 City Attorney, &c. Department, for the sum of nine hundred and twenty-nine dollars and nineteen cents, to pay the amount of judgment obtained in favor of Peter Cramer, against the City of Buffalo, for extra work on School House No. 19, as reported to this Council by said City Attorney. Adopted.

Ald. Brush, from the Committee on Sewers, reported in favor of directing the City Assessors to assess $68 83, for constructing a sewer and receiver at the southwest corner of Michigan and High streets. Adopted.

Also in favor of allowing the following accounts and of drawing orders for same:

Jacob Williams, for repairing a sewer and receiver at the northwest corner of North Division and Jefferson streets—$14 29.

John Wannop, for reconstructing a sewer and receiver at the southeast corner of Hickory and Cherry streets—$26 54.

O. Butler, Jr., for repairing the sewer and receiver at at the southwest corner of Seneca and Van Rensselaer streets—$13 85.

George Miller, for repairing sewer and receiver at the northwest corner of Batavia and Elm streets—$12 63.

Same, for repairing sewer and receiver at northwest corner of Eagle and Union streets—$15 68.

Same, for repairing sewer and receiver at the southwest corner of Batavia and Elm streets—$16 19.

John Wannop, for repairing receiving sewer on the northerly side of Seneca street opposite of Heacock street—$4 35.

George Miller, for repairing sewer and receiver at the southwest corner of Chippewa and Elliott streets—$5 47.

Same, for repairing the sewer and receiver on the northerly side of Exchange street opposite Beak street—$5 44. Adopted.

Ald. Swartz, from the Committee on Side and Crosswalks, reported in favor of the adoption of the following resolutions:

That the owners of land on the north side of Clinton street, between Cedar and Hickory streets, cause a sidewalk to be repaired in front of their respective lots, 4 feet wide, by substituting good new hemlock plank, 3 inches thick, where necessary, within 10 days, and if not done in that time, that the Street Commissioner cause the same to be done at an expense not to exceed $25, and report. Adopted.

That the owners of land on the east side of Jefferson street, between Clinton and William streets, cause a sidewalk to be repaired in front of their respective lots, 4 feet wide, by substituting good new hemlock plank, 3 inches thick, where necessary, within 10 days, and if not done in that time, that the Street Commissioner cause the same to be done at an expense notto exceed $100, and report. Adopted.

That the owners of land on the southerly side of Swan street, between the westerly curb line of Kinney's alley and a point 580 feet westerly therefrom, cause a sidewalk to be repaired in front of their respective lots, 4 feet wide, by substituting good new hemlock plank, 3 inches thick where necessary, within 10 days, and if not done in that time, that the Street Commissioner cause same to be done at an expense not to exceed $100, and report.—Adopted.

That the owners of land on the easterly side of Main street, between Virginia street (so called) and Carlton street, cause a sidewalk to be repaired in front of their respective lots, by substituting good new hemlock plank, 3 inches thick, where necessary, within 10 days, and if not done in that time, that the Street Commissioner cause same to be done at an expense not to exceed $50, and report. Adopted.

That the owners of the land on the north side of Eagle street, between Hickory and Walnut streets, cause a sidewalk to be repaired in front of their respective lots, 4 feet wide, by substituting good new hemlock plank, 3 inches thick where necessary, within 10 days, and if not done in that time, that the Street Commissioner cause same to be done at an expense not to exceed $40, and report. Adopted.

That the owners of land on the south side of Eagle street, between Cedar and Hickory streets, cause a sidewalk to be repaired in front of their respective lots, four feet wide, by substituting new hemlock plank, 3 inches thick, where necessary, within ten days, and if not done in that time that the Street Commissioner cause the same to be done at an expense not to exceed $50, and report.—Adopted.

That the owners of land on the northerly side of Swan street, between Hagerman street and the New York Central Rail Road track, cause a sidewalk to be repaired four feet wide, by substituting good new hemlock plank, 3 inches thick, where necessary, within ten days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not to exceed $40, and report. Adopted.

That the owners of land on the southwesterly side of Peacock street, between Evans and Norton street, cause a sidewalk to be repaired in front of their respective lots four feet wide, by substituting good new hemlock plank, 3 inches thick, where necessary, within 10 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $50, and report. Adopted.

Also, in favor of allowing the following accounts and of drawing orders for same:

Whitmore, Rathbun & Co., for repairing the sidewalk on the southerly side of Ohio street, between Main and Washington streets—$7 00.

Frederick Schelfer, for repairing sidewalk on the west side of Elm street, between Tupper and Goodell streets—$17 76.

Same, for repairing sidewalk on the northerly side of Genesee street, between Oak and Elm streets—$11 20.

Same, for repairing sidewalk on the southeast side of Genesee street, between a point 250 feet northeasterly from Herman street and a point 150 feet northeasterly therefrom—$13 88.

Same, for repairing sidewalk on the westerly side of Spring street, between Sycamore and Genesee streets—$16 00.

Same, for repairing sidewalk on the westerly side of Hickory street, between Batavia and Sycamore streets—$5 90.

Same, for repairing crosswalk across Goodell street, on the north side of Cherry street—$7 00.

Same, for repairing crosswalk across Spring street, on the north side of Clinton street—$7 20

Same, for constructing a plank crosswalk across Pratt street, on the northerly side of William street—$6 64.

George Miller, for repairing crosswalk across Clinton street on the easterly side of Elm street—$14 63.

George Miller, for repairing crosswalk across Clinton street, on the westerly side of Michigan street—$14 91.

Same, for repairing crosswalk across Swan street, on the westerly side of Elm street—$20 00.

Isaac Holloway, for constructing a stone sidewalk on the southerly side of Virginia street, between the present walk on Niagara street and the curbing on the southeasterly corner of Niagara and Virginia streets—$5 00.

Same, for reconstructing a stone crosswalk across Franklin street, on the southerly side of Church street—$75 00.

Same, for constructing a stone crosswalk across Court street, on the westerly side of Pearl street—$100 00.

W. I. Williams, for repairing sidewalk on the northwest side of Maryland street, between Tenth and Cottage streets—$17 60.

Same, for reconstructing sidewalk on the south east side of Lloyd street, between the westerly line of Canal street and the easterly line of Prime street.—$29 84.

Same, for repairing sidewalk on the west side of Michigan street, between Sycamore and Batavia streets.—$26 40.

Same, for repairing sidewalk on the southwesterly side of Palmer street, between Hudson and Maryland streets. $20 29.

Same, for repairing sidewalk on the southerly side of Green street, between Washington and Michigan streets.—$27 82.

Same, for constructing a plank cross walk across Jefferson street, on the southerly side of Batavia street—$9 96.

Same, for constructing crosswalk across Tupper street, on the northwesterly side of Carolina street.—$8 64.

Same, for reconstructing crosswalk across Allen street, on the easterly side of Deleware street.—$7 68.

Same, for constructing a plank crosswalk across Fifth street, on the southeasterly side of Virginia street.—$6 56.

Same, for repairing crosswalk across North Washington street, on the northwesterly side of Ferry street.—$5 76.

Lauren Williams, for repairing sidewalk on the easterly side of Walnut, between Eagle and Clinton streets.—$16 80.

Same, for repairing sidewalk on the easterly side of Hickory street, between William and Batavia streets.—$12 96.

Same, for repairing sidewalk on the east side of Kinney street, between Seneca and Folsom streets.—$8 96.

Same for repairing sidewalk on the easterly side of Jefferson street, between North Division and Eagle streets.—$8 63.

Same, for repairing crosswalk across Grosvenor street, on the northerly side of South Division street.—$7 74.

Same, for repairing crosswalk across Fulton street, on the westerly side of Hamburgh street.—$7 84.

Same, for reconstructing crosswalk across Carlton street on the easterly side of Elm street.—$6 88.

Same, for reconstructing a crosswalk across Cedar street, on the north side of North Division street.—$7 72.

Same, for reconstructing plank crosswalk across Spring street, on the southerly side of North Division street—$6 88.

Same, for repairing crosswalk across Cedar street, on the northerly side of Clinton street—$7 20.

Same, for constructing a plank crosswalk across Clinton street, on the easterly side of Smith street—$8 32.

William I. Williams, for repairing the crosswalk across Virginia street, on the westerly side of Tenth street—$5. Adopted.

Also, reported in favor of directing the City Assessors to make assessments as follows:

Assess $32 80, for constructing a plank sidewalk on the westerly side of Oak street, between High and Carlton streets. Adopted.

Assess $8, for repairing the crosswalk across Locust street, on the northerly side of Cherry street. Adopted.

Ald. Yaw, from the Committee on Fire, reported in favor of the adoption of the following resolutions:

That permission be and is hereby granted to Thomas Pye, to erect a frame boat-house at the southwest extremity of Erie street, to be twenty by thirty feet, and one story in height.

Lost for want of a unanimous vote—Ayes 13; noes 1.

Ald. Savage moved to reconsider said vote. Carried.

Ald. Savage then moved that said report be referred back to the Committee on Fire. Lost.

On motion of Ald. Hanovan the said report was then adopted—ayes 14; noes 0.

That permission be and is hereby granted to John Bush, to erect a wooden building on the south side of the Main and Hamburg street canal, such building to be 18 by 24 feet and 20 feet high, and to be completed within three months, and to be built under the direction of the Fire Marshal, and subject to the further order of this Council. Adopted. Ayes 15; noes 0.

That permission is hereby granted to W. W. Newman to add a second story to the rear of his house No. 34 Goodell street, and attach thereto a wood shed, the same to be completed within three months, and to be built under the direction of the Fire Marshal, subject to the further order of this Council. Adopted. Ayes, 14; Noes, 0.

Also reported in favor of allowing the following accounts, and of drawing orders for the same:

De Forrest & Coye, for coal for Fire Department.—$52 50.

Fred. Jost, for washing for same.—$1 85.

Henry S. Riddle, for same.—$5 64.

Donald Thane, for same.—5 62.

Thos. B. French, for repairs for same.—$67 37.

Hart, Ball & Hart, for labor and material for same.—$3 45.

Geo. Day, for same.—16 07.

W. I. Williams, for same.—$2 61.

Same, for same.—$26 17.

Bangasser & Bros., for same.—$36 82.

Cheeseman & Dodge, for team for steam fire engine in 1860.—$3 00.

Silsby, Mynderse & Co., for rubber spring for Fire Department.—$4 12.

Henry Swartz, for repairs to house of steamer Seneca.—$33 46.

E. Cowing & Co., for hose and pipe for Fire Department.—$204 00.

M. Gardner, for straw for same.—$2 48.

J. F. Ellis, for hay for same.—$7 24.

Wm. Taylor, for repairing hose for same.—$26 25.

L. & I. J. White, for axe for Fire Department.—$2 50.—Adopted.

Also, in favor of the adoption of the following:

That the Fire Marshal be and he is hereby authorized to purchase 200 feet of patent canvas hose, such as is used in Boston, at an expense not to exceed 90 cents per foot. Adopted.

Ald. Jones, from the Committee on Water, reported in favor of the adoption of the following resolutions:

That the Street Commissioner be and he is hereby directed to remove the pump from the well on the corner of William and Jefferson streets, and to examine and report what the cause is of the poor quality of the water, and such remedy as in his opinion the case requires, at an expense not exceeding $12. Adopted.

That the pump on the corner of Elk and Michigan streets, be repaired, at an expense not exceeding $8.—Adopted.

Also in favor of allowing the following accounts and of drawing orders for the same:

Buffalo water works Company for furnishing supply of water, for quarter ending September 30th, 1861, as per contract.....		$5000 00
Interest on $87,718 68 cost of special extension.....	$1535 07	
Less for receipts on the same for quarter.....	24 45	1510 62
Amount due.....		$5,510 62

John Gisel, for repairing the pump to well at the corner of Mortimer and Genesee streets, July 13th, 1861—$3 90.

Same, for repairing pump, April 12th, 1861—$2 75.

Richard Hextal, for cleaning the well at the conrer of Niagara and Hudson streets—$5 00. Adopted.

Also in favor of directing the City Assessors to make assessments as follows:

Assess $112 for repairing and maintaining the public well and pump No. 97, located on Eagle street, between Michigan and Union streets. Adopted.

Ald. Adams moved that when this Council adjourn it adjourn to meet at one quarter of a minute past 7 o'clock this evening. Carried.

Ald. Stork, from the Committee on Markets, reported in favor of allowing the account of J. G. Turner for gas-burners, &c., for markets—$15 00; and of drawing an order for the same. Adopted.

Also reported in favor of authorizing the Mayor to grant a license to Jacob Hitzel, to sell fresh meat on Genesee street east of Hickory street. Adopted.

Ald. Adams, from the Committee on Public Lamps, reported in favor of allowing the following accounts and of drawing orders for the same.

Buffalo Gas Light Company, for Gas for Public Lamps for August, 1861—$2,138. Same, for September, 1861—$2,602 24. Total, $4,740 24.

James G. Turner, for Lighting, &c, Public Lamps for August, 1861—$385 92. Same, for September, 1861—$386 28. Total, $772 20.

Buffalo Gas Light Company, for Gas for Public Buildings for Quarter ending Oct. 1st, 1861—$389 75. Adopted.

Ald. Jones, from the Committee on License, reported in favor of directing His Honor the Mayor to issue Licenses to the following named persons to sell fresh meat at the places hereinafter set forth, viz.:

Frederick Hoffer, on west side Main street, near Mohawk street.

Xaver Friedman, on west side Michigan street, between Best and North streets.

Joseph Smith, on north side Clinton street, near Watson street.

Joseph Harris, by the quarter, in the city of Buffalo. Adopted.

Ald. Savage, from the Committee on Sanitary Measures, reported in favor of directing the City Assessors to make an assessment as follows:

Assess $35 62 for abating a nuisance on ground fronting on the east side of Walnut street, being 27 feet front and and rear, by 106 feet deep, and commencing 155 feet south from Sycamore street. Adopted.

Also reported in favor of allowing the following accounts, and drawing orders for the same:

John Elliott, for amount paid for straw for Pest House—$1.

Frederick Schiefer, for repairs at Pest House—$1.

Hamlin & Mendsen, for material for " —$1.

Erie Ice Co., for ice for same to August 10, 1861—$2 06

Wm. Miller, for boarding patients in August, 1861—$14 04.

Same for same to September 14—$6.

Hugh Battel, for wood for Pest House—$70 26. Adopted.

Also, in favor of the adoption of the following:

That the account of Michael Herbts, for removing filth from Watson street, amount $3, be disallowed. Adopted.

Ald. Crowder, from the Committee on New Territory, reported in favor of allowing the following account, and of drawing an order for the same:

Farmer & Curry, for repairing Niagara street, by planking from the northerly line of Hamilton street to the centre line of Bird street, as per contract—$977 76. Adopted

Also in favor of the adoption of the following resolutions:

That the Street Commissioner cause the bridge across Scajaquada creek on Walden street to be repaired at an expense not exceeding $5 and report. Adopted.

That the Street Commissioner cause the bridge across the ravine on Clinton street about 100 feet easterly from the Williamsville Road, to be repaired at an expense not exceeding $28, and report. Adopted.

That the Street Commissioner cause the wood culvert across Fox street, on the northerly side of Genesee street, to be repaired at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause the wood culvert across Best street, on the easterly side of Walden street, to be repaired at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause the wood culvert across Amherst street, on the westerly side of Delaware street, to be repaired at an expense not exceeding $6, and report. Adopted.

That the Street Commissioner cause the wood culvert across Smith street, between the Abbott Road and Elk street to be repaired, at an expense not exceeding $6, and and report. Adopted.

That the Street Commissioner cause Dan street, between Amherst and Hamilton streets to be repaired, by filling holes and substituting new plank on the bridges, at an expense not exceeding $25, and report. Adopted.

That the Street Commissioner cause a stone culvert constructed on the north side of Amherst street, across Tonawanda street, at an expense not exceeding $15 00. Adopted.

Also reported in favor of directing the City Assessors to make an assessment as follows:

Assess $13 45 for reconstructing the wood culvert across Dearborn street, between Austin and Farmer streets. Adopted.

Also reported in favor of allowing the following accounts and of drawing orders for the same, viz:—

William Farmer, Jr., for repairing Delaware street, between Chapin and Amherst streets—$49 25.

Same, for repairing wood culvert across Forest Avenue on the westerly side of Delaware street—$4 79.

Same, for constructing a plank crosswalk across Forest Avenue on the easterly side of Niagara street—$5 60.

Same, for repairing wood culvert across Forest Avenue, about 1700 feet westerly from Delaware street—$7 65.

Churchyard and Benzinger, for constructing a receiver in the Emslie street sewer at a point where it crosses the bed of the Little Buffalo Creek, between Seneca and North Canal streets—$46 60.

Bryant Boyle, for repairing Massachusetts street, between Tenth and Fourteenth streets—$28 97.

Samuel Swartz, for securing the north abutment of the bridge across Scajaquada Creek on Niagara street—$148 75.

Same, for constructing a dry stone wall back of the south abutment of the bridge across Scajaquada Creek on Niagara street—$200 00.

Alvin Joslyn, for repairing the Williamsville road, between the Hydraulic Canal and Clinton street—$10.

W. I. Williams, for repairing the bridge across William street, between Buffalo, New York and Erie Railroad and the Williamsville road—$5 28.

James Fitzgerald, for 4 days labor in leveling Market Square, at 6s—$3

Timothy Mulhavil, for 2 days labor in leveling Market Square, at 6s per day—1 50.

Lawrence Ryan, for 8½ days labor in leveling Market Square, at 6s per day—$6 38.

Philip Schan, for 3 days labor in leveling Market Square, at 6s per day—$2 25.

John Fisher, for 3 days labor in leveling Market Square, at 6s per day—$2 25.

David Walker, Jr., for 7½ days team labor, at 20s per day, $18 75; 5 days labor, self, at 12s per day, $7 50 —Total, $26 25. Adopted.

Also, reported in favor of the adoption of the following resolutions:

That the owners of land on both sides of Genessee street between Jefferson street and a point one mile northeasterly therefrom, cause the plank roadway to be repaired in front of their respective land to the centre of said roadway, and the owner of land on the corner of said Genesee street, and any street crossing Genesee street, repair the said roadway to the centre of the street so crossing Genesee street, and if not done within 14 days from the passage of this resolution then the Street Commissioner report such portions of said roadway as remains undone. Adopted.

That the Common Council of the city of Buffalo intend to order Genesee street repaired from Jefferson street to a point one mile northeasterly from said Jefferson street, by substituting new plank in the roadway where necessary, and that the City Clerk cause the necessary notice of such intention to be duly published in the city paper.—Adopted.

That when an assessment shall be confirmed to defray the expense, the Street Commissioner is hereby authorized and directed to contract with Isaac Holloway for constructing a brick sewer in the centre of Hamilton street, from the curb line in the easterly side of Niagara street to the Erie Canal, in accordance with the profile and specifications for the same at a sum not exceeding $215 90, for the reason of the lowest bidder declining to take the contract at his proposal, and said Holloway being the next lowest bidder. Adopted.

That the Street Commissioner cause Connecticut street to be repaired by filling holes and gutters, between Eleventh and Thirteenth streets, at an expense not exceeding $20, and report. Adopted.

That the City Assessors assess $215 90, for constructing a brick sewer in the center of Hamilton street, from the East Curb line of Niagara street to the Erie Canal. Adopted.

Assess $5 65 for constructing a wood culvert across Amherst street, about 100 feet easterly from Delaware street. Adopted.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Dayton, That the City Surveyor report the length of the sideswalks to be constructed on the several sides of the Public Grounds in Black Rock known as Porter Square and Market Ground, said walks to run from curb line to curb line of the streets. Adopted.

The resolutions remaining upon the desk of the Clerk at the adjournment of the Council, was by him referred to the appropriate committees, as follows:

That the ditch be opened on the north side of Genesee street, commencing in the center of Colt on street, thence easterly 135 feet.

That the ditch be repaired on the north side of Genesee street, from the culvert on the east side of Jefferson street, thence easterly 204 feet.

That Pine street, between Cypress and Sycamore streets, be repaired.

That Mackinaw street, at the junction of Hamburgh street, be repaired.

That Eagle street, between the easterly line of the Terrace and Genesee streets, be repaired.

That the carriageway on the westerly side of Cazanovia Terrace, from Court street to 100 feet southeasterly therefrom, be repaired.

That Michigan street, between the north and south lines of Perry street, be repaired.

That Main street, between the north and south lines of Exchange street, be repaired.

That Canal street, between Commercial and State streets, be repaired.

That the wood culvert across Carroll street, on the east side of Heacock street, be repaired.

That the wood culvert across Folsom street, between Spring and Jefferson streets, be repaired.

That Seneca street, between Emslie and Van Renssalear streets, be repaired.

That Seneca street, between Alabama street and Kenney's Ally, be repaired. Referred to Committee on Streets.

That the sewer to receiver at the northeast corner of South Division and Michigan streets, be reconstructed. Referred to Committee on Sewers.

That the sidewalk on the eastside of Walnut street, between Sycamore and Batavia streets, be repaired.

That the sidewalk on the westerly side of Elm street, between Burton Alley and Virginia streets, be repaired.

That a crosswalk on the west side of Oak street, across Carlton street, be constructed.

That a sidewalk on the southerly side of Tracy street, between Delaware and Carolina streets, be constructed.

That the sidewalk on the southerly side of Miami street, between Alabama and a point 500 feet westerly therefrom, be repaired.

That a plank crosswalk across Washington street, on the southerly side of Tupper street, be constructed.

That a stone crosswalk across Elm street, on the northeast side of Swan street, be constructed.

That the sidewalk on the northerly side of Seneca street, between Emslie street and a point 429 feet west of the Aurora Plank Road, be repaired.

That the sidewalk on the south side of Elk street, be repaired. Referred to Committee on Side and Crosswalks.

That the Fire Marshal ascertain the expense of a desk and table for Fire Commissioners and report. Referred to Committee on Fire.

That the pump on the south side of William street, opposite Potter street, be repaired. Referred to Committee on Water.

That the City Lamp Lighter be directed to furnish to the Council the number of public lamps in the city and their location, and the number and location of those that are lighted. Referred to the Committee on Public Lamps.

That the Mayor be authorized to grant a license to Wm. Jones to sell fresh meat on Niagara street, near Scajaquada Creek. Referred to Committee on License.

That a crosswalk across Rhode Island street, on the southwesterly side of Fourteenth street, be constructed.

That the crosswalk across Red Jacket street, on the southerly side of Perry street, be repaired.

That a sidewalk on the southwesterly side of Fourteenth street, between Massachusetts and Rhode Island streets, be constructed.

That a sidewalk across Fourteenth street, on the southeast side of Rhode Island street, be constructed.

That Ferry street be repaired, from Walden street to the Williamsville road.

That the wood culvert across Howard street, on the easterly side of Monroe street, be repaired.

That the sidewalk on the southerly side of Elk street, between the Buffalo, New York and Erie Railroad and Smith street, be repaired.

That the Bridge across William street, between the New York and Erie Railroad and the Williamsville road, be repaired:

That Walden street, at and near the northerly side of Genesee street, be repaired.

That Perry street be opened and made from the old city line to Dole street.

That the wood culvert across Niagara street, on the westerly side of Ontario street be repaired.

That the wood culvert across School street, on the soutewest side of Ninth street, be repaired.

That Delaware street, at both ends of the bridge across Scajaquada Creek, be repaired.

That Ontario street, between Niagara street and the city line, be repaired.

That the wood culvert across Massachusetts street, on the southwest side of Ferry street, be repaired.

That Bird Avenue, from the easterly line of De Witt street to a point 600 feet easterly therefrom, be repaired. Referred to Committee on New Territory.

The Common Council then adjourned to meet at ¼ of a minute past 7 o'clock this evening.

O. F. PRESBREY, City Clerk.

IN COMMON COUNCIL,
Buffalo, Monday, Oct. 7th, 1861,
At one quarter of a minute past 7 o'clock, P. M.

Present—Asaph S. Bemis, Esq, President of the Council; and Ald. Adams, Allen, Brush, Crowder, Dayton Felton, Hannovan, Jones, Palmer, Rutter, Wheeler, and Yaw.

Absent—Ald. Beckwith, Dorr, Goembel, Grass, Howard, Mills, Pratt, Russell, Savage, Scheu, Storck, Swartz, and Walsh.

A quorum not being present, the President declared the Common Council adjourned to meet next Monday afternoon, Oct. 14, 1861, at 2 o'clock.

O. F. PRESBREY,
City Clerk.

MINUTES No. 36.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Oct. 14th, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council; and Ald. Allen, Beckwith, Brush, Crowder, Dayton, Dorr, Felton, Grass, Howard, Jones, Mills, Palmer, Russell, Savage, Swartz, Wheeler, and Yaw.

Absent—Ald. Adams, Goembel, Hannovan, Pratt, Rutter, Scheu, Storck and Walsh.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM HIS HONOR THE MAYOR.

BUFFALO, Oct. 14th, 1861.

To the Hon. Common Council:

GENTLEMEN:—I return without approval a resolution adopted on the 7th inst., directing the owners of lots on the east side of Jefferson street, between Clinton and William streets, to cause the sidewalk in front of their respective lots to be repaired within ten days, and if not done within that time, that the Street Commissioner cause the same to be done at an expense not to exceed one hundred dollars.

The property which would be taxed for the above improvement, if made, is in that part of the city known as "New Territory," and your honorable body has no authority to direct repairs of this character which exceed in cost fifty dollars, without first giving notice of intention, ordering the same by a two-thirds vote, and confirming an assessment for the expense before the work can be contracted for.

All of the aforesaid requirements have been neglected by your honorable body.

I have been served with summons to appear before C. T. Shattuck, Esq., Justice of the Peace, on the 15th day October, to answer to the demand of Thomas Myers.

Respectfully, F. A. ALBERGER, MAYOR.

Filed, and subject matter of so much of said communication as relates to sidewalk on Jefferson street referred to the Committee on Side and Crosswalks, and so much as relates to suit commenced by Thomas Myers referred to the City Attorney, with instructions to defend if deemed advisable.

Ald. Storck and Scheu here appeared and took their seats.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

Gentlemen—In view of the large amount of Tax Scrip owned by the city, on much of which the necessary steps have been taken to entitle the holders thereof to declarations of sale, I deem it advisable to apply to your Honorable Body for such declarations, for the better protection of the city's interest, and I accordingly herewith ask for declarations of sale on the following described lots, and on the sales herein enumerated, finding that the proper measures have been taken to justify this application, and I recommend that you grant the same:

Certificate No.

4438—Of June sale, 1858, of lot on the east side of White's Corners Plank Road, part of lot 257, lying on the south line of lot 257, being 165 feet front by 561 feet deep.

3553—Same sale, of lot on the southeast side of Virginia street, part of Block 31, lying 30 feet northeast of Garden street, being 25 by 132 feet.

3479—Of same sale, 16½ by 100 feet, southwest side of Palmer street, 296 feet southeast of Virginia street.

3802—Same sale, 30 by 100 feet, southeast side of Hampshire street, 100 feet southeast of Eleventh street.

3404—Same sale, 50 by 120 feet, west side of Park street, 400 feet north of Virginia street.

3465—Same sale, 27 by 100 feet, southwest side of Palmer street, 166½ feet southeast of Hudson street.

3208—Same sale, 50 by 200 feet, north side of Delaware Place, 684 feet west of Delaware street.

3298—Same sale, 25 by 116 feet, southeast side of Hudson street, 50 feet southwest of Tenth street.

2467—Same sale, 25 by 76 feet, north side of Court street, 91 feet east of Third street.

2680—Same sale, 24 by 80 feet, southeast side of Mechanic street, 69½ feet northeast of Stevens street.

2682—Same sale, 26½ by 80 feet, southeast side of Mechanic street, 20 feet northeast of Stevens street.

2683—Same sale 20 by 80 feet southeast side of Mechanic street, lying on the easterly corner of Stevens street.

3599—Same sale, 329-34-100 by 550 feet south, side of Bouch avenue, 644 feet east of Elmwood avenue.

3000—Same sale, 198 feet front by 132 feet deep on southwest side of Ninth, 214½ feet northwest Pennsylvania street.

3133—Same sale, 50 by 140 feet south-west side of Cottage street, 52 77-100 feet southeast of Hudson street.

2319—Same sale, 35 by 125 feet east side of Washington street, 150 feet north of Burton alley.

3597—Same sale, 12 by 90 feet south side of Bouck avenue, 88 feet west of Porter street.

519—Same sale, 30 by 100 feet south side of Eagle street, 125 feet east of Elm street.

3273—Same sale, 56½ by 47 feet, east side of Franklin street, 84 81-100 feet north of Tupper street.

3735—Same sale, southwest side of Erie Canal, being 297 feet front on the northerly corner of York street.

4310—Same sale, 25 by 125 feet, south side of Exchange street, 75 feet east of Indian Reservation.

2821—Same sale, 9½ by 55 feet, north side of Express street, 70 feet west of Pearl street.

2764—Same sale, 75 by 60 feet, southwest side of Terrace, 86 feet north of Lock street, less first 50 feet, redeemed by S. B. Piper.

2086—Same sale, 60 by 126 feet, southeast side of Cherry street, on the west corner of Spruce street.

1940—Same sale, 65 by 106 feet, west side of Walnut street, 150 feet south of Sycamore street.

1842—Same sale, 30 by 104 feet, east side of Michigan street, 83 feet north of Sycamore street.

1401—Same sale, 30 by 65 feet, west side of Washington street, 54½ feet north of Mohawk street.

1354—Same sale, 47½ by 150 feet, east side of Oak street, 63 feet south of Sycamore street.

1132—Same sale, 27 by 115 feet, north side of South Division street, 216 feet west of Spring street.

905—Same sale, 50 by 66 feet, east side of Louisiana street, 68 feet north of Carroll street.

193—Same sale, 124 by 98 feet, south side of Main and Hamburgh street Canal, lying on the west corner of Hamburgh street.

2895—Sale of 1859, being 75 by 60 feet, west side of Terrace, 86 feet north of Lock street, less first 50 feet redeemed by S. B. Piper.

1020—Sale of 1858, June 23d, being 37 by 100 feet, north side of Seneca street, 112 feet east of Kinney's alley.

1140—Same sale, 25 by 115 feet, north side of South Division street, 161½ feet west of Jefferson street.

The foregoing list comprises a small portion of scrip on which notices have been served, and it is my purpose to make applications for declarations as fast as other duties of the Department will permit. It is proper to say that in all cases where declarations shall be granted, and before same are made out, I shall endeavor to ascertain the name of the owner of premises sold, and send notice, and thus protect the interest of the taxpayer as well as that of the city.

ALONZO TANNER, Comptroller.

Filed and subject matter referred to the Committee on Finance.

FURTHER FROM THE COMPTROLLER.

GENTLEMEN.—On the 20th inst. there will become due $385, interest on $11,000, 7 per cent bonds, issued Oct. 20, 1853, same payable at this office, and I recommend that an order for said amount be drawn in my favor upon the General Fund, 1861, estimate for interest on the funded debt with which to pay such interest.

I also report that policies of insurance on school property in District No. 19, $30; District 21, $3; District 28, $8 75; District 32, $30, and District 33, $8 75, amounting in all to $70 50, will expire on the 21st instant, and I recommend that orders be drawn in favor of A. A. Eustaphieve, Secretary, on the several local funds in said School Districts for the above several sums in full payment for renewals of such insurance.

I also report in answer to your resolution adopted at your last meeting that the interest on securities belonging to the Grosvenor Library Fund, payable from New York and vicinity, has been paid in checks drawn in my favor, which have commanded a premium here of ¼ of one cent, making $9 19-100 premium, in all which has been credited to said fund. I am not aware in what manner payments on these securities were received by my predecessors in office. When these securities with others are handed over to the Trustees, in accordance with your directions, I shall report to your body in detail the items constituting the gross amount of said fund to 1st proximo.

ALONZO TANNER,
Comptroller.

Ald. Palmer moved that such communication be received and filed; that orders be drawn as recommended, and that the subject matter of the balance of such communication be referred to the Committee on Finance. Carried.

FURTHER FROM THE COMPTROLLER.

GENTLEMEN:—In compliance with a resolution "That the Comptroller be and he is hereby requested to report to this Council, whether in his opinion, the work in his office cannot be done for the balance of the year with three Clerks" reported by the Finance Committee and adopted by Your Honorable Body. I respectfully report that I have endeavored, since entering upon the duties of Comptroller, to discharge the same with care and fidelity to the usefulness of the Department and to the public interests. It is certainly the duty of a public officer to manifest the same care and economy in the discharge of the duties of office that he would in his own private affairs and if successful in the one case he will very likely be successful in the other. This I have done. The appropriations and expenditures for this Department for the years 1860 and 1861 have been largely less than any corresponding term prior thereto and since the enlargement of the boundaries of the city in 1854, while the duties of the office have, and will, in the nature of things, continue to increase. At present, I think, the work cannot be done with the force contemplated by the resolution. Perhaps on the first proximo I may be able to dispense with the services of the assistant book-keeper, for the balance of the year thereafter, and I shall act accordingly if I think it may be safely done, and the business of the office kept up. Respectfully,

ALONZO TANNER, Comptroller.

Filed, and subject matter referred to the Committee on Finance.

FURTHER FROM THE COMPTROLLER.

Gentlemen—Henry Baldwin, of Syracuse, has a State Comptroller's deed of 20 by 190 feet, commencing 256½ feet east of Michigan street, to be laid out on the south side of Canal Basin, being on sale of 1853, and his deed is dated January 3, 1856, recorded in Erie County Clerk's Office, December 23, 1857, in Liber 186 of Deeds, page 123. Mr. Baldwin called on me a few days since, and proposed to quit-claim to the city for $300, the original tax being less than $2 00. The premises are a part of East Market street, and I am of the opinion that the streets,

together with the market ground on Elk street, were donated by the proprietors to the city. If so, the interest of he city may be of such a nature as to require little or no attention to clear this title. I have deemed it best to report to your Honorable Body the facts within my knowledge, as I informed Mr. Baldwin I would, in order that you may take such action as you may think advisable.

ALONZO TANNER,
Comptroller.

Referred to Committee on Finance.

FROM THE STREET COMMISSIONER.

On the 20th day of last May you ordered the bridge repaired across Prime Slip on Canal Street, at an expense not exceeding $75, but in consequence of delay in advertising for proposals, and action being taken on the same, the price of oak lumber advanced, which increased the expense very materially, and on taking up the old floor it was discovered that a portion of the iron work was broken, the repair of which increased the expense $19 22-100, and the repair as originally contemplated being $70 59-100, thus making the aggregate expense $89 81-100, exceeding the limited expense $14 81-100, which was unavoidable in completing the bridge, therefore the undersigned respectfully ask the amount so limited be increased to $90.

L. J. WATERS, Street Commissioner.

Received and placed on file.

Whereupon Ald. Palmer offered the following resolution:

That so much of the resolution passed May 20th, 1861, as limited the expense of repairing the bridge across Prime Slip, on Canal street, at $75, be and is hereby rescinded, and that the Street Commissioner be and is hereby authorized and directed to cause said bridge repaired, at an expense not exceeding $90. Adopted. Ayes, 19; noes, 0.

FROM THE CITY SURVEYOR.

At your last meeting the City Surveyor and the Chairman of the Committee on Wharves, Harbors and Ferries were authorized and directed to contract immediately with the lowest bidders for dredging Buffalo Creek, from the North Pier to South street and Buffalo harbor outside the North Pier.

On the 6th of May last, in pursuance of advertisements, the following propositions were received for dredging Buffalo Creek inside the North Pier:

Bernard Cuningham, at 12 cents per cubic yard.
Thomas Dunbar, at 14 cents per cubic yard.
William R. Strong, at 14 cents per cubic yard.

On the 3d of June last the following propositions were received for dredging Buffalo Creek outside the North Pier:

William R. Strong, 12 cents per cubic yard.
Thomas Dunbar, 23 cents per cubic yard.

All the above parties decline to enter into contract for the said work, giving as their reason for doing so that the proper season for dredging has nearly gone by.

In view of the above facts I received to-day propositions from Messrs. Dunbar & Strong, to do all the dredging in Buffalo Creek and Buffalo harbor for 20 cents per cubic yard.

They will do as much this fall as can be done with two dredges, and complete the balance of the work by the opening of navigation in the spring.

PETER EMSLIE, City Surveyor.

Ald Allen moved that said communication be received and filed, and that the Committee on Wharves, Harbors and Ferries, and the City Surveyor be authorized to contract with Messrs. Dunbar and Strong to dredge Buffalo Creek and harbor as recommended in said communication.

Ald. Howard offered the following as a substitute for the motion of Ald. Allen.

Resolved, That it is the duty of this Council to cause all necessary dredging of Buffalo Creek without delay to meet the present wants of our lake commerce, even at the increase of expense reported by the City Surveyor above what the same might have been done, for if the same had been ordered in the early part of the season and the City Surveyor and Chairman of the Committee on Wharves, Harbors and Ferries be and they are hereby directed to contract with Messrs. Strong and Dunbar to do so much dredging in Buffalo Creek, both inside and outside the north pier as the wants of commerce shall demand this fall, and only so much, the same to be done under the direction of the City Surveyor, and the Chairman of the Committee on Wharves, Harbors and Ferries, at a price not exceeding 20 cents per cubic yard:

Ald. Dorr moved that the said communication from the Surveyor, and the resolution offered by Ald. Howard, be laid on the table temporarily. Carried.

The said communication from the City Surveyor, together with the resolution offered by Ald. Howard, were subsequently taken from the table on motion of Ald. Adams.

Whereupon Ald. Dorr offered the following as a substitute for the resolution offered by Ald. Howard and the previous motion of Ald. Allen:

Resolved, That the Committee on Wharves, Harbors and Ferries, with the City Surveyor, be hereby empowered to contract with Strong & Dunbar, to dredge at the mouth of Buffalo harbor, outside the North Pier, at a sum not to exceed twenty-five cents per cubic yard. The dredging to be done at once, with all the means they have, as fast as practicable, and as the weather will permit. The contract to be continued until Dec. 1st, 1861, unless stopped by the action of the Commitee, on account of the fund being exhausted, or the channel being dredged deep enough. Adopted.

FURTHER FROM THE CITY SURVEYOR.

In compliance with your order of October 7th, I have measured the market grounds and Porter Square with a view of ascertaining the length of sidewalks to be built, which are as follows:

For the market ground, two sidewalks, from the curb line of Niagara street to the curb line of Dearborn street, each 243 feet long. Also two pieces on Niagara street, in front of the market grounds, 48 feet each. Making the total for the market grounds 582 feet.

The length of sidewalk on the westerly side of Porter Square, on Niagara street, is 381 feet.

PETER EMSLIE, City Surveyor.

Referred to the Committee on New Territory.

FROM THE FIRE MARSHAL.

FIRE MARSHAL'S OFFICE,
BUFFALO, Oct. 14th, 1861.

To the Hon. Common Council:

GENTLEMEN—I contracted with Ach & Stoch to furnish three setts single harness at $23 per sett, which have been made and accepted.

I respectfully recommend that an order for $50 be drawn in favor of Ach & Stoch, to apply on contract. Amount of contract $69.

D. KISSOCK, Fire Marshal.

Filed and order drawn as recommended, and subject matter of the balance of such communication referred to the Committee on Fire.

The City Assessors reported the amount due A. P. Dunlap for salary as clerk in that office, for quarter ending Sept. 30, and recommended that an order be drawn for the same.

Filed, and an order directed to be drawn.

FROM THE RECEIVER OF TAXES.

I hereby authorize Gordon Bailey to sign any and all official communications, certificates, receipts, rolls and returns, (necessary to be signed by me in my official capacity as Receiver of Taxes,) for me as Receiver of Taxes during the remaining period of my official term of office, and I will ratify and confirm the same.

M. WIEDRICH, Receiver of Taxes.

Ald. Savage moved that such communication be received and placed on file, and that the subject matter thereof be referred to the Committee on Finance. Carried.

FROM THE CITY TREASURER.

By resolution of the 7th inst., you directed me to advertise and pay all orders against assessments previous to the year 1854, which have been transferred to the balance account.

By reference to the amended Charter, page 43, you will perceive that it is necesary that orders for these amounts must emanate from your Hon. body. Acting upon the above resolution I have to report that I have redeemed orders and returned to the Comptroller, to the amount of Two Hundred Eight 64-100 dollars, and there remain in this office orders amounting to One Hundred Nineteen 86-100 dollars, as per report appended, and for which amount I would ask that an order be drawn in favor of the Comptroller, and if there are no objections this will be my course of action redeeming, reporting weekly and have an order drawn for the amount.

J. S. TROWBRIDGE, Treasurer.

Whereupon Ald. Howard offered the following resolution:

That an order be drawn on the balance account for $119 86 in favor of the City Treasurer, with which to take up the orders mentioned in the foregoing communication, and that the Comptroller on delivering the said orders take up and cancel the said orders. Adopted.

The written resignation of S. S. Kellogg of the office of Commissioner of Deeds, was presented. Filed and resignation accepted.

Ald. Palmer moved that James Winship be appointed Inspector of Elections in place of S. S. Kellogg resigned. Carried.

The written resignation of C. J. Wells of the office of Commissioner of Deeds, for the Second District of the Second Ward was presented. Filed and resignation accepted.

Ald. Wheeler moved that Amos Morgan be appointed Inspector of Election for Second District of the Second Ward, in place of C. J. Wells, resigned. Carried.

The written resignation of F. G. Gerber of the office of the Inspector of Election for the First District of the Fifth Ward, was presented. Filed and resignation accepted.

Ald. Goembel moved that Wm. F. Beaman be appointed Inspector of Election in place of F. G. Gerber, resigned. Carried.

The written resignation of Warren Lampman of the office of Inspector of Election for the First District of the First Ward, was presented. Filed and resignation accepted.

Ald. Yaw moved that Otis B. Howe be appointed Inspector of Election in place of Warren Lampman, resigned. Carried.

The written resignation of William Hellriegel of the office of Inspector of Election for the 3d District of the Seventh Ward was presented. Filed and resignation accepted.

Ald. Swartz moved that Henry Betz be appointed Inspector of Election in place of William Hellriegel, resigned. Carried.

The written resignation of Lewis Hackmeyer, of the office of Inspector of Election for the 3d District of the 4th Ward, was presented. Filed and resignation accepted.

Ald. Storck moved that Thomas J. Sizer be appointed Inspector of Election in place of Lewis Hackmeyer, resigned. Carried.

Assessment Roll No. 2398—For widening, straightening, and enlarging Buffalo Creek at the toll bridge on Ohio street, by excavating a channel on the northerly side of said creek—amount $5,935,—the time for the consideration of which, and the hearing of parties interested therein, had been postponed until to-day, was taken up.

Ald. Palmer moved that said roll lie on the table temporarily to be taken up under order of reports from the Committee on Streets. Carried.

Assessment Roll No. 2530—For graveling the carriageway in Delaware street, and opening the gutter on both sides of said carriageway, from Virginia to North street, and from a point 200 feet north from North street to Utica street—amount $2 089—the time for the consideration of which, and the hearing of parties interested therein, had been fixed for to-day, was taken up.

Ald. Adams moved that parties interested in said roll be heard. Carried.

Silas Kingsley and Myron P. Bush, Esquires, addressed the Council, the former in opposition to, and the latter in favor of the confirmation of said roll.

Ald. Adams moved that said roll be confirmed.

Ald. Howard moved as an amendment that the further consideration of said roll and the hearing of parties interested therein be further postponed for one week. Lost.

And the motion of Ald. Adams, that said roll be confirmed, was then carried.

PETITIONS.

Of A. P. Yaw, to have local fund orders paid.

Of Michael Messmer, for a declaration of sale on lot on the south side of Eagle street, part of outer lot 104, lying 251 feet west of Pine street, being 155 10-100 feet front by 128 feet deep. Referred to Committee on Finance.

Of the U. S. Express Co., for permission to build a shed.

Of Peter Wex, for permission to remove frame house from the front to the rear of his lot on the west side of Elm street, 263 feet south of Tupper street. Referred to Committee on Fire.

Of John Schlotzer and others, to have well repaired at corner of Hickory and Clinton streets. Referred to Committee on Water.

Of Martha Brown and others, for the release of Archibald Brown from the penitentiary. Referred to Committee on Police.

Of John Hamper, for a license to peddle meat by the quarter.

Of Ludwig Decker, for same.

Of Jacob Hitzel, for license to sell fresh meat on Seneca street, between Alabama and Louisiana streets.

Of Peter Volker, for license to sell fresh meat at the southeast corner of Batavia and Monroe streets.

Of Martin Bucheker, for same, at corner of Elm and Sycamore streets. Referred to Committee on License.

Of John Streline, for fireman's certificate.

Of Joseph Huber, for same. Referred to the City Clerk with power.

ACCOUNTS REFERRED.

Elder & Stearns, for sundries for schools.

Peter Burgard, for wood for schools. Referred to Committee on Schools.

Geo. Miller, for repairing Best street, between Main and Michigan streets. Referred to Committee on Streets.

John Wannop, for repairing receiver and sewer at the northeast corner of Huron and Pearl streets.

Same, for repairing sewer in Hudson street, between Fifth and Sixth streets.

Same, for opening and cleaning receiver and sewer on the north side of River street, east of slip No. 1.

George Miller, for repairing sewer and receiver at the southwest corner of the Elk Street Market and Scott street.

Herman Schoy, for constructing sewer on the southerly side of Seneca street, from the termination of the present sewer in said street to the old city line. Referred to Committee on Sewers.

Nicholas Nipper, for washing for Fire Department.

William Taylor, for repairing hose for same.

Phillip Reep, for labor for same.

William Wasson for one span of horses for same. Referred to Committee on Fire.

Klein & Dobinson (17) for repairs to sundry pumps.

Richard Hextall, for cleaning well at corner of South Division and Pine streets. Referred to Committee on Water.

P. H. Bender, (9) for advertising for city offices.

F. C. Hill (2) for repairs to city offices.

Clapp, Mathews & Waite, for poll lists, &c.

Hamlin & Mendsen, for material to decorate Council Chamber.

Bradley Rumsey, for copying county rolls. Referred to Committee on Claims.

Hardiker & Toye, for plumbing for Police Department.

Ira Barnard, Jr., for wood for Police Department.

Geo. Druilard, for disbursements for same.

Eli Fontaine for commitments to penitentiary. Referred to Committee on Police.

Isaac Holloway, for repairing sewer and re-laying flagging at Elk street Market. Referred to Committee on Markets.

C. L. Gager, for tugging Snags out of the Harbor. Referred to Committee on Wharves, Harbors and Ferries.

Isaac Holloway, for rolling Market Ground, between Connecticut and York streets, and between Fifth and Sixth streets. Referred to Special Committee on Prospect Hill Park.

On motion, Ald. Howard was excused from further attendance at this meeting of the Council.

REPORTS OF COMMITTEES.

Ald. Palmer, from the Committee on Finance, reported in favor of the adoption of the following Resolutions:

That an order for $38 79 be drawn, in favor of the Comptroller, on the local fund for School District No. 6 with which to redeem Tax Certificate No. 8827 of the June Sale of 1858, on the School Lot in said District. Adopted.

That the petition of Mason Hill, to have a tax refunded and interest upon same, for laying out Catharine street, amount $63 47, be, and the same is hereby denied. Adopted.

That the Comptroller be and he is hereby directed to cancel of record the sale of June 1st, 1860, for non-payment of the taxes and assessments charged upon the General City Tax Rolls for 1859, of lot on the southwest side of Niagara street, part of Block No. 10, lying 248 feet northwest of the State Reservation Line, being 38 feet front by 126 feet deep; and that the Comptroller be also directed to present to S. Scheu, Esq., late Receiver of Taxes, a statement of the tax, interest and expenses on such lot, and demand payment to the city of such amount, the tax in question having been paid to Mr. Scheu before such sale. Adopted.

Resolved, That the applications to this Council to discharge tax sales of lots of land upon which the late Receiver of Taxes, S. Scheu, has returned to the Comptroller's office, the tax as unpaid, but upon which the tax payer made payment to him, have become so frequent as to create a great apprehension that the amount may be large, and demand investigation: therefore

Resolved further, That tax-payers, for their own protection, be requested to examine the tax sales of the city for non-payment of city taxes for the years 1856, 1857, 1858, and 1859, and compare them with their receipts for payment of taxes to the "Receiver of Taxes" for those years, and report at once all cases of sales made for taxes which have been paid, and the proper credit not given therefor. Adopted.

That the fine imposed July 8, 1861, by Justice Lampman on Edward Wygant, for $10, be remitted, and that an order be drawn on the General Fund, 1861, Police department, in favor of Edward Wygant, for $10, to refund the amount of such fine.

Adopted. Ayes, 19; Noes, 0.

Also reported back the following resolution, and recommended its adoption, notwithstanding the objections of His Honor the Mayor.

Resolved, That the Comptroller be and he is hereby directed to remit from lot on west side of Hickory street, south corner of Cherry street, 100 feet by 66 feet, the assessment for sewer in Genesee street, from the center of Pratt street to the center of Hickory street, and in Hickory street to the center of Goodell street, and thence in Goodell to the centre of Mulberry street, and to cancel the sale of said lot for the nonpayment of said tax, made to the city, August 23d, 1855, for $148 66. Adopted. Ayes, 20; Nocs, 0.

Ald Storck was called to the Chair.

Ald. Wheeler, from the Committee on Schools, reported in favor of the adoption of the following resolution, viz:

That the City Assessors be directed to assess upon the the taxable property in School District No. 19, (as described by the ordinance,) the sum of $1500, for the purpose of paying for the building, furnishing and repairing of the school house therein, and the building and furnishing the appurtenances thereto. Adopted.

That the action of the Council had June 12, 1861, ordering an assessment for $500 upon the taxable property in School District No. 19, be repealed. Adopted. Ayes, 18; Noes, 0.

Also in favor of allowing the following accounts and of drawing orders for same,

Martin Scheu for sawing wood at Central School—$1 50.

Mrs. Jane Weeks, for cleaning School House No. 16—$12.

Hamlin & Mensden, for papering at School House No. 6—$20 34.

Same, for same at School House No. 7—$8 55.—Adopted.

Also in favor of the adoption of the following resolution:

That the library money of the several schools shall be expended in the following manner:—The Superintendent of Schools to draw his order in favor of each Principal of Public Schools for the amount due the district; the order to be drawn on "any bookseller" at "not more than wholesale price," and a bill of items to be rendered subject to the audit of this Council. Adopted.

Ald. Palmer, from the Committee on Streets, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause Lloyd street to be repaired commencing at a point 40 feet from the southerly curb line of Canal street, and running thence 100 feet southerly therefrom, by resetting the curbing and repairing the gutter on the easterly side of said street, at an expense not exceeding $25, and report. Adopted.

That the Street Commissioner cause the wood culvert across Tenth street, on the northwest side of Virginia street, to be repaired at an expense not exceeding $5, and report. Adopted.

That the Street Commissioner cause the wood culvert across Palmer street, on the northwest side of Virginia street, to be repaired at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause the bridge across Prime Slip, on Prime street, to be repaired at an expense not exceeding $11, and report. Adopted.

That the Street Commissioner cause the wood culvert across Carroll street, on the easterly side of Heacock st., to be repaired at an expense not exceeding $8, and report. Adopted.

Also in favor of allowing the following accounts, and of drawing orders for same:

Frederick Scheifer, for constructing a wood culvert across Locust street, on the northerly side of Cherry street, amounting to—$12 60.

A. D. Morton, for repairing Jefferson street, between South Division and Clinton streets—$39 50.

David Walker, for repairing wood culvert across York street, on the southerly side of Fourteenth street—$7 75.

Same, for grading and working Franklin ssreet, between Chippewa and Tupper street—$75 00.

Lauren Williams, for constructing a wood culvert across Fulton street, on the easterly side of Alabama street—$8 00.

Ernst Neitman, for reconstructing wood culvert across Carlton street, on the westerly side of Mulberry street—$8 00.

George Miller, for repairing the gutter on the south-easterly side of Genesee street, between Ash and Spruce streets—$10 00.

George Miller, for repairing Eagle street between Oak and Elm streets—$1 49.

William Mensch, for removing dirt, ashes, &c. from the paved streets and alleys of the city during September, 1861—$266 67.

Jacob Sohn, for services as Street Inspector during September, 1861—$31 25.

F C. Schmelzer, for same services—$31 25.

Charles Broshart, for the same—$31 25.

John B. Sewell, for the same—$31 25.

John Drexler, for the same—$31 25.

John Erb, for cleaning streets in front of public grounds, &c., during the month of September, 1861—$9 88.

John Fisher, for the same—$7 13.

Philip Schan, for the same—$9 88.

William I. Williams, for repairing the wood culvert across Vermont street, on the south-west side of Fourteenth street—$7 82.

Same, for repairing the wood culvert across Tenth st. on the north-westerly side of Vermont street—$5 75.

Same, for repairing the wood culvert across William street, about 40 rods westerly from the Buffalo, N. York, and Erie Railroad track—$8 39.

Same, for repairing the wood culvert across Eleventh street, on the south-easterly side of Maryland st.—$5 74.

Same, for repairing the wood culvert across Tenth st. on the north westerly side of Virginia street—$5 57.

Woodward & Warner, for repairing the Bridge across the Evans Ship Canal on Erie street—$103 74. Adopted

Also reported in favor of directing the City Assessors to make assessments as follows:

Assess $9 01 for re-constructing a wood culvert across Cherry street at the intersection of Spring street. Adopted.

Assess $29 99 for repairing Alabama street, between Seneca and Exchange streets Adopted.

Also in favor of allowing the following accounts and of drawing orders for the same:

John Ellwood, for repairing Clinton street, between the New York Central Railroad and the Buffalo, New York and Erie Railroad—$47 37.

W. I. Williams, for repairing wood culvert across Allen street, on the easterly side of Delaware street—$6 92.

John Andruss, for filling and paving over hole in Michigan street, between Swan and Seneca streets—$2 00.

W. I. Waillims, for repairing bridge across Prime Slip on Prime street—$10 68. Adopted.

Also in favor of the adoption of the following resolutions:

That the Street Commissioner cause a wood culvert across Carlton street on the easterly side of Maple street, to be re-constructed, at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause Genesee street, on the northerly side of said street, from the center of Carlton street, to a point 135 feet easterly from Carlton street, to be repaired by opening the gutters, at an expense not exceeding $5, and report. Adopted.

That the Street Commissioner cause Pine street, from Cypress street to Sycamore street, to be repaired, at an expense not exceeding $25, and report. Adopted.

That the Street Commissioner cause Genesee street, from the easterly side of Jefferson street, at a point 204 feet easterly from Jefferson street, to be repaired, by opening the gutter and repairing a culvert. Adopted.

Ald. Brush from the Committee on Sewers, reported in favor of the adoption of the following resolutions:

That the City Assessors be directed to assess $498 51 for constructing a brick sewer in Maple street, from the termination of the present sewer in Maple street to Virginia street (so called.) Adopted.

That, when an assessment shall be confirmed to defray the expense, the Street Commissioner be and is hereby authorized and directed to contract with Patrick Lynch, for constructing a brick sewer in Maple street, from the termination of the present sewer in Maple street to Virginia street (so called,) in accordance with the specifications for the same, at a sum not exceeding $498 51. Adopted.

That the Common Council of the city of Buffalo intend to order a brick sewer constructed, two feet diameter in the clear, with walls eight inches thick, in the center of Delaware Place from the sewer in the centre of Virginia street easterly to a point 100 feet westerly from Delaware street, and that the City Clerk cause the necessary notice of such intention to be duly published. And that the City Surveyor report the length and necessary depth of excavation with a profile of said proposed sewer to this Council. Adopted.

That the City Assessors be directed to assess $90 26 for taking up the wood sewer in Louisiana street, at and near the Main and Hamburgh Street Canal, and re-laying the same with brick and water lime cement, and extending said sewer on both sides of said canal through and connecting said sewer with the stone abutments for the bridge across said canal on Louisiana street. Adopted.

That the Street Commissioner cause the sewer to receiver at the northeast corner of South Division and Michigan streets to be re-constructed, at an expense not to exceed $10, and report. Adopted.

Also in favor of allowing the following accounts, and of drawing orders for the same:

John Wannop, for reconstructing a receiving sewer at the northeast corner of Perry and Hayward streets—$13 63.

Same, for reconstructing receiving sewer at the northwest corner of Perry and Hayward streets—$13 63.

Same, for reconstructing sewer and receiver on the west side of Maiden Lane, about 25 feet northerly from Fly street—$11 85. Adopted.

On motion Ald. Felton was excused from further attendance at this meeting of the Council.

Ald. Swartz, from the Committee on Side and Crosswalks, reported in favor of the adoption of the following resolutions:

That the owners of land on the east side of Walnut street, between Sycamore and Batavia streets, cause a sidewalk to be repaired in front of their respective lots four feet wide, by substituting good new hemlock plank 3 inches thick where necessary, within five days, and if not done in that time that the Street Commissioner cause the same to be done at an expense not exceeding $60 00, and report. Adopted.

That, the Street Commissioner cause the plank crosswalk across Washington street, on the southerly side of Tupper street, to be constructed of the usual width and thickness, at an expense not exceeding $8 00, and report. Adopted.

That, the owners of land on the northerly side of Ohio street, between Columbia and Michigan streets, cause a sidewalk to be repaired in front of their respective lots by substituting good new hemlock plank three inches thick where necessary, within ten days, and if not done in that time that the Street Commissioner cause the same to be done at an expense not exceeding $25 00, and report. Adopted.

That, the owners of land on the east side of Jefferson street, between William and Batavia streets, cause a sidewalk to be repaired in front of their respective lots four feet wide, by substituting good new hemlock plank three inches thick where necessary, within ten days, and if not done in that time that the Street Commissioner cause the same to be done at an expense not exceeding $100 00, and report. Adopted.

That, the owners of land on the southerly side of Miami street, between Alabama street and a point 500 feet westerly therefrom, cause a sidewalk to be repaired in front of their respective lots four feet wide, by substituting new hemlock plank three inches thick where necessary, within five days, and if not done in that time that the Street Commissioner cause the same to be done at an expense not exceeding $80 00, and report. Adopted.

That, the owners of land on the westerly side of Elm street, between Burton Alley and Virginia street (so called) cause a sidewalk to be repaired in front of their respective lots four feet wide, by substituting good new hemlock plank three inches thick where necessary, within ten days, and if not done in that time that the Street Commissioner cause the same to be done at an expense not exceeding $25 00, and report. Adopted.

That, the owners of land on the northerly side of Seneca street, between Emslie street and a point 429 feet west of Aurora Plank Road, cause s side walk to be repaired in front of their respective lots 4 feet wide, by substituting good new hemlock plank three inches thick

where necessary, within ten days, and if not done in that time that the Street Commissioner cause the same to be done, at an expense not exceeding $100 00, and report. Adopted.

That, the Street Commissioner cause the plank crosswalk across North Canal street, on the northerly side of Swan street, to be repaired, at an expense not exceeding $10 00, and report. Adopted.

That the owners of land on the southerly side of Swan street, between Spring and Jefferson streets, cause a sidewalk to be repaired in front of their respective lots four feet wide, by substituting good new hemlock plank three inches thick where necessary, within ten days, and if not done in that time that the Street Commissioner cause the same to be done, at an expense not exceeding $30 00, and report. Adopted.

That the Street Commissioner cause the plank crosswalk across Spring street, on the southerly side of Batavia street, re-constructed, at an expense not exceeding $10, and report. Adopted.

That the Street Commissioner cause the stone cros walk across Emslie street, on the northeasterly side of Swan street, to be constructed, at an expense not exceeding $80, and report. Adopted.

That, the Street Commissioner cause the plank crosswalk across Carlton street, on the west side of Oak street, to be constructed at an expense not exceeding $8, and report. Adopted.

That, the owners of land on the southerly side of Tracy street, between Dalaware and Carolina streets, cause a sidewalk to be constructed in front of their respective lots four feet wide, of good flagging stone, within 10 days, and if not done in that time, that the Street Commissioner report to the Council what portion remains undone. Adopted.

That, the owners of land on the westerly side of Hamburgh street, between Mackinaw and Sandusky streets, cause a sidewalk to be repaired in front of their respective lots, by filling and substituting new plank where necessary within 5 days, and if not done in that time, that the Street Commissioner cause the same to be done at an expense not exceeding $100, and report. Adopted

That, the owners of land on the westerly side of Hamburgh street, between Sandusky street and the New York and Erie Railroad track, cause a sidewalk to be repaired in front of their respective lots, by filling and substituting new plank where necessary within 5 days, and if not done in that time, that the Street Commissioner cause the same to be done at an expense not exceeding $100, and report. Adopted.

That, the owners of land on the westerly side of Hamburgh street, between South street and the New York and Erie Railroad track, cause a sidewalk to be repaired in front of their respective lots, by filling and substituting new plank where necessary, within 5 days, and if not done in that time, that the Street Commissioner cause the same to be done at any expense not exceeding $100, and report. Adopted.

That, the Street Commissioner cause the crosswalk across Mackinaw street, on the westerly side of Hamburgh street, to be repaired by filling and substituting new plank where necessary, at an expense not exceeding $20, and report. Adopted.

That, the Street Commissioner cause the plank crosswalk to be constructed across Franklin street, on the northerly side of Huron street, at an expense not exceeding $8, and report. Adopted.

That, the Sirept Commissioner cause the plank crosswalk to be constructed across Franklin street, on the southerly side of Huron street, at an expense not exceeding $8, and report. Adopted.

Also reported in favor of allowing the following accounts and of drawing orders for the same.

Isaac Holloway, for constructing a stone crosswalk across Franklin street, on the southerly side of Court street—$95 06.

John Tyrell, for repairing sidewalk on the northerly side of Carroll street, between Michigan and Chicago streets.—$39 31.

Same, for repairing sidewalk on the southerly side of Carroll street, between Michigan and Chicago streets—$38 56.

Frederick Scheifer, for repairing sidewalk on the easterly side of Gray street, between Genesee and Batavia streets—$69 04.

Same, for constructing a crosswalk across Monroe st., on the northerly side of Sycamore street—$6 08.

W. I. Williams, for repairing sidewalk on the northerly side of Ohio street, between Indiana and Illinois streets—$9 97.

Same, for constructing sidewalk on the westerly side of Sixth street, between the southerly curb line of Fort st. and a point 1,000 feet southerly therefrom—$35 72.

Same, for repairing sidewalk on the easterly side of Ninth street, between York and Jersey streets—$8 50.

Same, for repairing sidewalk on the south-westerly side of Palmer street, between Virginia street and a point 150 feet south-easterly therefrom—$4 40.

Same, for constructing a sidewalk on the north-easterly side of Ninth street, between Hudson and Pennsylvania streets—$9 76.

Same, for repairing the sidewalk on the southerly side of Edward street, between Delaware and Virginia sts—$38 92.

Same, for repairing sidewalk on the easterly side of Norton street, between Water and Peacock streets—$27. Adopted.

Also reported in favor of directing the City Assessors to make assessments as follows:

Assess $18 24 for repairing a sidewalk on the easterly side of Hudson street, between Niagara and Ninth streets. Adopted.

Assess $5 28 for repairing a sidewalk on the southerly side of Genesee street, between Mortimer and Jefferson streets. Adopted.

Ald. Yaw, from the Committee on Fire, reported in favor of allowing the account of A. Martin for hay for the Fire Department—amount $9 96—and of drawing an order for same. Adopted.

Also, in favor of authorizing the Fire Marshall and Committee on Fire to cause two four inch hydrants to be set on Main street, wherever it may seem best in their judgment. Adopted,

Ald. Jones, from the Committee on Water, reported in favor of the adoption of the following resolution:

That the Street Commissioner cause the pump to the well on the south side of William street, opposite to Potter street, to be repaired, and at an expense not to exceed $15, and report. Adopted.

Also, in favor of allowing the following accounts, and of drawing orders for same:

John Overfill, for cleaning public well on southerly side of Hampshire street, between Tenth and Eleventh streets—$1 50.

Klein and Dobinson, for repairing pump to well at the corner of Elm and Tupper streets—$4 39.

John Gisel, for constructing a public well near the corner of Michigan and Carlton streets$—257 09.

Isaac Holloway, for the same—$23 22.

Klein and Dobinson, for pump for same well—$23 25. Adopted.

Ald. Dayton, from the Committee on Claims, reported in favor of authorizing the City Clerk to procure the necessary livery for the purpose of serving election notices, distributing ballot boxes, &c. Adopted.

Also in favor of allowing the following acounts, and of drawing orders for same:

E. D. Shoemaker, for services as Inspector of Elections 1st district, 12th ward, charged $9 00, allowed at—$7 50.

A. B. Dickinson, for amount paid for printing—$3 50.

Hart, Ball & Hart, for plumbing for City Buildings—$9 25.

Hardiker & Toye, for plumbing for various city offices —$17 41.

Bangasser & Bro., for lock for Mayor's office—$1 00.

A. M. Clapp & Co., for advertising for various departments, charged at $570 40, allowed at $528 30,

Elijah Wells, for amount paid for cleaning city offices —$9 50.

D. C. Weed & Co , for sundries for City Buildings—$4 20.

D. Taylor, for repairing locks aud keys for City Buildings—$9 53.

Cortland Lake, for services as crier of Superior Court, charged at $139 50, allowed at $123 00.

John D. Smith & Co., for sundries for jubilee water works, charged at $382 62, allowed at $380 10.

G. J. Woelfle, for services as Water Commissioner, from July 1st to Oct. 1st—$25 00.

Geo. Argus, for use of team for Jubilee Water Works—$12 75.

Michael Hornsinger for blacksmithing for same—$1 35.

John Woelfle, for labor for same—$30 75.

Alvis Ruff, for same—$79 00.

Joseph Danner, for same—$17 81.

John Hoffmann, for same—$29 25.

Simon Dugan, for same—$18 93.

Nick Liebler, for same—$26 43.

G. Akermann, for same—$29 62.

John G. Steinrok, for same—$26 81.

C. Krotz, for same—$25 50. Adopted.

Ald. Mills, from the Committee on Police, reported in favor of the adoption of the following resolution:

That an order for $75, be drawn in favor of Jerome B Shumway, to refund amount paid and costs incurred in suit of John Hogan against J. B. Shumway and Patrick Boyle.—Adopted.

Also in favor of allowing the following accounts, and drawing orders for same:

Clapp, Matthews & Waite, for printing rules for policemen, &c., charged at $108 50, allowed at $81 43.

D. S. Reynolds, for commitments to Penitentiary—$15.

N. Wilgus, for paper hanging for police station No. 2—$1 62.

James Van Valkenberg, for commitments to Penitentiary—$15 38.

John O. Hopkins, for same—$16 13.

Adam Jones, for same—$21,

Geo. Dorr, for services as special policeman in 1860——$2 50. Adopted.

By Ald. Storck—The Committee on Markets beg leave to report to this Council, that they have leased the stalls and stands in the different public markets of the city, in accordance with the directions of the Council; and would respectfully recommend that their action in the premises be approved. Filed and action approved.

Also reported in favor of the adoption of the following:—

Resolved, That § 24 of Chapter 9 of the Ordinances of the City of Buffalo, is hereby amended so as to read as follows:

§ 24. It shall be the duty of the Clerk of the Markets to assign and set apart certain portions of the market grounds, near the public markets, for the purpose of exposing for sale and selling garden and farm produce and other products of farms and gardens, and no person shall expose for sale or sell any garden or farm products, or other thing whatsoever, in any street or in any market or markets, or about or upon any market ground or grounds, in this city, other than in the place or places so assigned and set apart by the said Clerk, under the penalty of ten dollars for each and every offence, unless such garden or farm products, or other things, are sold or exposed for sale at a stall, stand or space, rented for that purpose, in a public market, or upon a public market ground, by the person or persons so selling or exposing the same for sale.

Adopted—ayes 18, noes 1.

Ald. Dorr, from the Committee on Public Grounds, reported in favor of drawing an order for $25 in favor of R. Paul, to apply on his salary as keeper of Johnson Park. Adopted.

Also, in favor of allowing the account of C. G. Mathews for repairing linen hose for Court House Park—amount $2 50—and of drawing an order for same. Adopted.

Ald. Adams, by unanimous consent, offered the following:

Resolved, That the Committee on Public Lamps be authorized to advertise for three days in the official paper, for proposals to furnish such number of lamp posts (not to exceed fifty) as may be required for immediate use, and that upon the receipt of bids or proposals therefor, the said committee be and they are hereby authorized to contract with such bidder for furnishing the same as in their opinion will be for the best interests of the city, or to refuse to accept any of the proposals so received. Adopted.

Ald Adams, from the Committee on Public Lamps, reported in favor of the adoption of the following resolutions:

That the Common Council of the city of Buffalo inten to order the Lamp District extended on both sides of Delaware Place, from Delaware street to a point four hundred and thirty-eight (438) feet westerly from said Delaware street, and the City Clerk is hereby directed to cause the necessary notice of such intention to be published. Adopted.

That the Common Council of the city of Buffalo intend to extend the Lamp District on both sides of Elm street, from Batavia street to Sycamore street, and the City Clerk is hereby authorized to cause the necessary notice of such intention to be published. Adopted.

Ald. Russell, from the Committee on License, reported in favor of authorizing the Mayor to grant a license to each of the following named persons to sell or peddle fresh meats upon the terms, &c., as prescribed by the ordinances:

John W. Peckham, to peddle by quarter or carcass.
Robert Craig. " " "
A. Kumro, at corner of William and Madison streets
Tobias Faust, at northwest corner of Eleventh and Virginia streets.
Anthony Sekler, at corner of Genesee and Elm streets.
Theobald Burgard, at corner of Delaware and Tupper streets.
Henry Rronn, at No 190 Niagara street.
Jacob Hiller, on Park street.
Jacob Hitzel, at No. 237 Genesee street and 335 Seneca street.
William Jones, on Niagara street, near Scajaquada creek.
C. C. Bogert, at No. 117 Seneca street.
Wm. Barke, on westerly side of Niagara street, near Breckinridge street.
Peter Kersch, on the canal, between Hamilton and Austin street.
James Monroe, on Virginia street, near Palmer street.

Ald. Swartz moved that so much of said report as relates to granting a license to Peter Kersh, be referred back to the Committee on License. Lost. And said report was then adopted.

Ald. Jones, from the Committee on Sanitary Measures reported in favor of the adoption of the following resolutions:

That the ground fronting on the north side of North Divison street, being 26 feet front and rear, by 127 feet deep, and commencing 196¾ feet east from Pine street, is hereby declared by the Common Council of the City of Buffalo, to be unwholesome by reason of filth thereon, and it is hereby ordered and determined that the owner or owners of said ground clean the same, so that the said lot shall not be unwholesome; and in case the same is not done within 10 days after notice published in the city paper to do the same, then the Street Commissoner is hereby directed immediately to cause the same to be done, and report. Adopted. Ayes, 19; Noes, 0.

That the ground fronting on the south side of South Division Street, being 30 feet front and rear, by 120 feet deep, and commencing 77 feet east from Pine street, is hereby declared by the Common Council of the city of Buffalo, to be unwholesome by reason of stagnant water standing thereon, and it is hereby ordered and determined that the owner or owners of said ground abate said nuisance, by draining or filling, so that the said lot shall not be unwholesome; and in case the same is not done within ten days after notice published in the city paper to do the same, then the Street Commissioner is hereby directed immediately to cause the same to be done and report. Adopted. Ayes, 19; Noes, 0.

That the ground fronting on southerly side of Clinton street, being 40 94-100 feet front and 18 37-100 feet rear, by 99 61-100 feet deep, on the easterly side of Raze street, is hereby declared by by the Common Council of the city of Buffalo, to be unwholesome by reason of standing water thereon, and it is hereby ordered and determined that the owner or owners of said ground abate said nuisance by filling so that the said lot shall not be unwholesome; and in case the same is not done within ten days after notice published in the City Paper to do the same, then the Street Commissioner is hereby directed immediately to cause the same to be done and report. Adopted,—Ayes, 19; Noes, 0.

Ald. Crowder. from the Committee on New Territory, reported in favor of the adoption of the following resolutions:

That the owners of the land on the southerly side of Elk street, between the Buffalo, New York and Erie Railroad and Smith street, cause a sidewalk to be repaired in front of their respective lots, four feet wide, by substituting and relaying new plank where necessary within five days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $100, and report. Adopted.

That the Street Commissioner cause the plank cross walk across Red Jacket street, on the southerly side of Perry street, to be repaired at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause the wood culvert across Massachusetts street, on the southwest side of Ferry street, to repaired at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause the wood culvert across Niagara street, on the westerly side of Ontario street, to be repaired at an expense not exceeding $10, and report. Adopted.

That the Street Commissioner cause the bridge across William street, between the New York and Erie Railroad and the Williamsville road, to be repaired, at an expense not exceeding $6, and report. Adopted.

That the Street Commissioner cause Walden street to be repaired, near the northerly line of Genesee street, by filling holes with stone chips, at an expense not exceeding $5, and report. Adopted.

That the Street Commissioner cause the wood culvert across School street, on the southwesterly side of Ninth street, to be repaired, at an expense not exceeding $5, and report. Adopted.

That the Street Commissioner cause Delaware street, at both sides of the bridge across Scajaquada Creek, to be repaired by filling the holes with stone chips, at an expense not exceeding $5, and report. Adopted.

That the owners of land on the southwesterly side of Fourteenth street, between Massachusetts and Rhode Island streets, cause a sidewalk to be constructed in front of their respective lots, 3 feet wide, of good hemlock

plank, 3 inches thick, within five days from the service of a notice to do the same, and if not done in that time, that the Street Commissioner cause the same to be done at an expense not exceeding $75, and report. Adopted.

That the Street Commissioner cause a plank crosswalk to be constructed across Rhode Island street, on the southwesterly side of Fourteenth street, 3 feet wide, of good hemlock plank, 3 inches thick, and report. Adopted.

That the Street Commissioner cause a sidewalk to be constructed across Fourteenth street, on the southeasterly side of Rhode Island street, 3 feet wide, of good hemlock plank, 3 inches thick, at an expense not exceeding $8, and report. Adopted.

That the Common Council of the City of Buffalo intend to order a wood bridge with stone abutments constructed across Cazenovia Creek, on Cazenovia road, (or street,) and that the City Clerk cause the necessary notice of such intention to be duly published, and that the Street Commissioner is hereby directed to advertise six days in the city paper for proposals to construct said bridge, in accordance with the plan of the City Surveyor and suitable specifications for the same, and report such proposals to this Council. Adopted.

That Perry street be opened and made from the old city line to Dole street, at an expense not to exceed $200, and that the Street Commissioner advertise six days in the city paper for proposals to do said work, and report such proposals to this Council. And further resolved, that the owner or owners of fences or other obstructions standing or being in Perry street, (as the same was laid out,) from the old city line to Dole street, cause all such obstructions to be removed from said street within 30 days, and in case such owner or owners do not remove said obstructions within that time, then the Street Commissioner is hereby directed to cause the same to be removed, and report to this Council. Adopted.

Also reported in favor of allowing the following accounts, and of drawing orders for the same:

William Mensch, for repairing Sixth street, at the crossing of Vermont street—$2 50.

Alvin Joslyn, for repairing the wood bridge on Clinton street, about 100 feet easterly of the Williamsville road. —$27 96.

William Farmer, Jr., for repairing wood culvert across Niagara street, between Austin and Farmer streets—$13 46.

Same, for constructing wood culvert across Rogers street, 51 feet south from Butler street—$5 66.

Same for reconstructing wood culvert across Summer street, on the easterly side of Rogers street—$7 99.

Bryant Boyle, for opening gutters on the north side of Ferry street, between Niagara street and a point 250 feet easterly of North Jefferson street—$15 00.

W. I. Williams, for repairing sidewalk on the southeasterly side of Massachusetts street, between Tenth and Eleventh streets—$14 92.

Same for repairing wood culvert across Fourteenth street, on the southeasterly side of Connecticut street—$4 83. Adopted.

Also reported in favor of the adoption of the following:

That it is hereby ordered that a culvert be constructed, six feet diamter in the clear, of brick and stone, across Clinton street, at a ravine between Bond street and the New York Central Railroad, and that the Street Commissioner is hereby directed to advertise six days in the city paper for constructing said culvert, and report such proposals to this Council. Adopted. Ayes, 19; Noes, 0.

SPECIAL COMMITEES.

Ald. Dayton, from the special committee on Prospect Hill Parks, reported in favor of allowing the account of Samuel Green, for services as keeper of Prospect Hill Parks during September—Amount $25—and of drawing an order for the same. Adopted.

MOTIONS, RESOLUTIONS AND NOTICES.

The resolutions remaining upon the desk of the Clerk at the adjournment of the Council, were by him referred of the appropriate Committees as follows:

That the subject of the sales for non-payment of taxes of the lot on Main street belonging to School District No. 16 be referred to the Committee on Finance. Referred to Committee on Finance.

That Fourth street, between Court and Carolina streets. be repaired. Referred to Committee on Streets.

That the Receiver and Sewer at the north-west corner of Hudson and Ninth streets be repaired. Referred to Committee on Sewers.

That the sidewalk on the southerly side of Pennsylvania street, between Niagara and Ninth streets, be repaired.

That the sidewalk on Batavia street, 100 feet from Spruce street to a point 50 feet therefrom, be repaired.

That the sidewalk on the west side of Hickory street, between William and Clinton streets, be repaired.

That the sidewalk on the east side of Hickory street, between William and Clinton streets, be repaired.

That the sidewalk on the north side of Batavia street, between Spruce and Ash streets, be repaired.

That the sidewalk on the north side of Clinton street, between Spring and Pratt streets, be repaired.

That the plank crosswalk across Morgan street, on the southerly side of Edward street, be re-constructed.

That the sidewalk on the easterly side of Michigan st. between Perry and Fulton streets, berepaired.

That the sidewalk on the easterly side of Michigan st., between Fulton and Elk streets, be repaired.

That the sidewalk on the easterly side of the Market Ground, between Scott and Perry streets, be repaired.

That the sidewalk on the easterly side of Michigan street between Scott and Perry streets, be repaired. Referred to Committee on Side and Cross Walks.

That the Fire Marshal change the number of Rescue Hook and Ladder Company, No. 2, to Hook and Ladder Company, No. 1. Referred to Committee on Fire.

That the well at the corner of Goodell and Mulberry streets be repaired.

That a new pump be placed in the well at the corner of Goodell and Mulberry streets. Referred to Committee on Water.

That a culvert be constructed across Thompson street on the south side of Austin street.

That the plank crosswalk across Delavan avenue, on the easterly side of North Washington street, be repaired.

That the wood culvert across Vermont street, on the easterly side of Sixth street, be reconstructed.

That Tonawanda street, between Amherst and Niagara streets, be repaired. Referred to Committee on New Territory.

The Common Council adjourned to meet next Monday afternoon, October 21st, 1861, at two o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 37.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Oct. 21, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council; and Ald. Adams, Allen, Brush, Dayton, Dorr, cGoembel, Grass, Howard, Jones, Mills, Palmer, Rutter, Savage, Storck, Walsh and Yaw.

Absent—Ald. Beckwith, Crowder, Felton, Hannovan, Pratt, Russell, Scheu, Swartz, and Wheeler.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM HIS HONOR THE MAYOR:

BUFFALO, Oct. 21, 1861.

To the Hon. Common Council:

GENTLEMEN: I enclose herewith the quarterly report of the Chief of Police for the quarter ending Oct. 1, 1861.

Respectfully,

F. A. ALBERGER, Mayor.

Ald. Palmer moved that the communication from the Mayor be received and placed on file, and that the report of the Chief of Police be printed. Carried.

The following is such report:

HON. F. A. ALBERGER, Mayor:

SIR: In conformity with the rules and regulations of the Police Department, I herewith submit a statement of the business and condition of the department for the third quarter of the year 1861, which embraces the months of July, August, and September.

The number of arrests made within the time mentioned is eight hundred and four (804), and are as follows:

Drunk and disorderly	252
Disorderly	202
Drunk	211
Vagrants	37
Assault and battery	52
Selling obscene books	1
Indecent exposure	1
Rape	2
Malicious trespass	1
Petit larceny	23
Grand larceny	5
Forgery	4
Arson	1
Insane	3
Deserters	4
Lodgers	288

The number of arrests exceed that of the last quarter only two.

You will observe that six hundred and sixty-five of the persons arrested were charged with being drunk and disorderly, leaving only one hundred and thirty-seven charged with other offences.

You will also find that very few of the offences charged were of the character of burglary, forgery and larceny

In addition to the arrests reported there has been lodged in the several station houses, persons not charged with crime, two hundred and thirty-eight, being one hundred and thirty-eight less than lodged during the preceding quarter.

The amount of property which has been reported at my office as stolen is very small, much less than during the last quarter.

The amount of fines collected by the Watch House Justices and Police Constables, as returned, is *one thousand three hundred and ninety-two dollars*, an increase over the amount collected during the last quarter from the same source of four hundred and thirty-dollars.

The conduct of the Policemen and other officers of the Department, with two or three exceptions, have been good. Respectfully submitted,

GEO. DRULLARD, Chief of Police.

STATEMENT of Arrests, as reported from the four Police Districts, together with the number lodged, for the third Quarter of the Year 1861, *ending Sept. 30th.*

DISTRICT No 1.

	July.	Aug.	Sept.	Total.
Drunk and Disorderly	43	64	65	172
Disorderly	37	34	44	115
Drunk	32	50	33	115
Vagrants	4	11	9	24
Assault and Battery	12	12	11	35
Selling Obscene Books	1	..	..	1
Grand Larceny	4	..	..	4
Petit Larceny	9	9	4	22
Rape	1	1	..	2
Forgery	1	2	1	4
Burglary	1	1	..	2
Deserters	..	4	..	4
Indecent Exposure	1	..	..	1
Malicious Trespass	..	1	..	1
Lodgers	..	..	..	159

DISTRICT No. 2.

Drunk and Disorderly	8	15	12	35
Disorderly	8	9	10	27
Drunk	14	13	9	36
Vagrant	1	1	..	2
Assault and Battery	1	3	2	6
Grand Larceny	..	1	..	1
Petit Larceny	1	..	..	1
Arson	..	1	..	1
Lodgers	..	..	..	33

DISTRICT No. 3.

Drunk and Disorderly	5	6	2	13
Disorderly	4	3	9	16
Drunk	11	11	12	33
Vagrant	1	2	1	4
Insane	..	..	1	1
Forgery	..	..	..	..
Petit Larceny	3	..	..	3
Assault and Battery	3	2	3	8
Lodgers	..	..	..	30

DISTRICT No. 4.

Drunk and Disorderly	12	11	9	32
Disorderly	12	33	4	48
Drunk	10	6	11	27
Vagrant	2	3	2	7
Forgery	..	2	..	2
Insane	1	1	..	2
Petet Larceny	.	..	..	..
Assault and Battery	..	3	..	3
Lodgers	..	..	..	16

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

GENTLEMEN:—On the 1st proximo the following named sums will be required to pay interest falling due on that day, viz:

On $55,000, 6 per cent bonds, issued May 1st, 1853, payable at the city of New York,...	$1,650 00
On $30,000, 7 per cent bonds, issued May 1st, 1853, payable at this office,.....	1,050 00
Commission to Duncan Sherman & Co., ¼ per cent.....	4 13
Premium on draft at ½ per cent.....	8 27
Total.....	$2,712 40

I recommend that an order for $2,712 40 be drawn in my favor upon the General Fund of 1861, estimate for interest on the funded debt, with which to pay the same.

ALONZO TANNER, Comptroller.

Ald. Howard moved that such communication be filed, and that an order be drawn as recommended. Carried.

Ald. Crowder and Swartz here appeared and took their seats.

FROM THE CITY ATTORNEY.

In compliance with your directions I hereby report that the action of the Common Council on the 28th day of September, 1857, was legel, that is, that the Common Council, as Commissioners of highways for the city, had the power to "cause such roads, used as highways, as shall have been laid out, but not sufficiently described, and such as shall have been used for twenty years, but not recorded, to be ascertained, described, and entered of record in the City Clerk's office," and I presume that the said action of the Council was for the purpose of describing and recording Burton alley. But no such action could be effectual to lay out a new highway, or to change the location of any old street or highway; if, therefore, Burton alley is improperly described in the proceedings of September 28th, 1857, those proceedings are null and void, so far, at least, as they change the location of the alley, but if the alley was originally laid out as therein described, the proceedings are valid, and no further steps are necessary to be taken to establish the lines.

From the best information I can obtain on this subject, I am of the opinion that the following is a correct statement of the facts relating thereto: Burton alley was originally laid out and dedicated to the public use by Jabez Goodell, and ever since such dedication has been used as a public highway or street, I think that it is in fact a public highway, and that no action on your part is necessary to make it such. The only question is, what is its true location? That question being answered it only remains for the Common Council to have a correct description prepared and recorded.

I am informed by the City Surveyor that the description adopted by the Common Council September 28th, 1857, is erroneous and not in accordance with the dedication of the alley, and, that by actual survey, he finds the proper description to be the one adopted by you in your notice of intention to take and appropriate the property necessary to straighten the alley, &c.

If the City Surveyor is correct, the action of September 28th, 1857, although correct and valid upon its face, was void in fact, because it attempted to locate the alley differently from its original location and dedication by Mr. Goodell. This being so, the proper course for the Council to pursue is to rescind the resolution of September 28th, 1857, and locate the alley anew, as the same was originall laid out and opened, according to the present City Surveyor's report.

GEORGE WADSWORTH, City Attorney.

Ald. Palmer moved that such communication be referred to the Committee on Streets. Carried.

FROM THE STREET COMMISSIONER.

The undersigned reports the following named repairs made and walks completed, at the expense severally as hereinafter specified, as follows, to wit:

ON STREETS.

Bridge repaired across Prime Slip, on Canal street—$89 81.

Fulton street, repaired between Chicago street and Ohio Basin slip—$25 00.

Cedar street, repaired between the southerly curb-line of Batavia street and a point 300 feet southerly therefrom—$9 87.

Staats street, repaired in front of the Niagara Market Ground—$4 00. Referred to the Committee on Streets.

ON SEWERS AND RECEIVERS.

Sewer to a receiver, reconstructed at the northeast corner of South Division street and Michigan street—$9 13.

Sewer and receiver repaired at the northwest corner of South Division and Chestnut streets—$3 88.

Sewer and receiver at the northwest corner of Ellicott and Batavia streets, repaired—$4 13.

Sewer and receiver repaired at the northwest corner of William and Batavia streets—$6 58.

Sewer in Washington street, between Burton alley and Virginia street (so-called)—$3 74.

Sewer and receiver at the northwest corner of Goodell and Michigan streets—$6 68. Referred to Committee on Sewers.

ON SIDE AND CROSSWALKS.

Sidewalk repaired on the westerly side of Elm street, between the northerly line of Batavia street and a point 115 feet northerly—$3 00.

Crosswalk constructed across South Division street, on the westerly side of Jefferson street—$8 00.

Sidewalk repaired on the northerly side of Swan street, between the New York Central Railroad and Seneca street —$23 47.

Crosswalk repaired across Spring street, on the southerly side of William street—$7 06.

Crosswalk repaired across Madison street, on the southerly side of William street—$7 15.

Referred to Committee on Side and Crosswalks.

IN THE NEW TERRITORY.

Bridge repaired on Clinton street, 100 feet easterly of the Williamsville Road—$27 96.

Sidewalk repaired on the easterly side of North Washington street, between Bouck and Bird Avenues—$22 88.

Bridge repaired across Scajaquada Creek on Walden street—$4 85.

Military Road repaired from the State Ditch to the city line—$49 50.

Military Road from Amherst street to the city line—$50 00.

L. J. WATERS, Street Commissioner.

Referred to Committee on New Territory.

FURTHER FROM THE STREET COMMISSIONER.

The undersigned begs leave to call your attention to the exposed state of the approach to the southerly end of the Bridge across Cazenovia Creek, on the road leading from the Aurora Plank Road to Martin's Corners. The roadway is washed away for a distance of about 40 feet southerly from the bridge, and is liable to be washed away at all times when the water in the creek is unusually high, thus causing much damage, and great expense for repairs. To prevent such accidents, I recommend that piles be driven on the easterly side of the roadway, from the southerly end of the bridge to a point about 100 feet southerly therefrom.

Respectfully submitted.

L. J. WATERS, Street Commissioner.

Referred to the Committee on New Territory.

FURTHER FROM THE STREET COMMISSIONER.

James McGlinn, assignee of James Duffy, asks for a payment to apply on contract for constructing a sewer in Breckinridge street, from the easterly line of North Washington street, westerly to the Erie Canal. Amount of said contract is $2,453 32; amount already paid on the same $850 00; amount for work not paid for $646 88; amount proposed to be paid at this date $350 00. And the undersigned recommend that orders be drawn on the local fund for the above named improvement, in favor of the parties, for the amount proposed.

L. J. WATERS, Street Commissioner.

Ald. Howard moved that such communication be received and placed on fi'e, and that orders be drawn as recommended. Carried.

FROM THE CITY SURVEYOR.

In compliance with your order of October 14th, I submit herewith a grade and profile for a sewer, two feet in diameter, in the clear from the sewer in Virginia street, through Delaware Place, to a point 100 feet westerly from the westerly line of Delaware street. Commencing at the intersection of the centre line of Delaware Place, with the sewer in the centre of Virginia street, at an elevation of 30.20 feet above the base line of levels, thence rising southeasterly and easterly along the centre line of Delaware Place, 0.30 feet per 100 feet for a distance of 1,138 feet to a point 100 feet westerly from the west line of Delaware street, at any elevation of 33.61 feet above the base line of levels. The total length of sewer is 1,138 feet. The average depth of the excavation is 11.00 feet.

PETER EMSLIE, City Surveyor.

Referred to the Committee on Sewers.

FROM THE CITY TREASURER.

I would ask to be authorized to employ, for a term not exceeding fifteen days, at such compensation as you may think proper, for the purpose of adding to the Comptroller's report the Treasurer's balances, as per resolution of your Honorable Body.

J. S. TROWBRIDGE, Treasurer.

Whereupon Ald. Howard offered the following:

That the communication of the Treasurer be received and filed, and that he be authorized to employ a suitable person for the purpose mentioned in his communication, for a time not exceeding 15 days, and at an expense not exceeding twelve shillings per day. Adopted.

FROM THE CHIEF OF POLICE

I would respectfully represent, that one of the stoves in Police Station No. 1 has been for some time past perfectly useless, and the other will soon need replacing. The supply of wood at that and the other Station Houses is also nearly exhausted. I have accordingly caused two "Littlefield Coal Burners" to be set up in place of the two old stoves, the parties agreeing to remove them, without cost to the City, provided they are not satisfactory.

In view of the present high price of wood, and the great superiority of the coal stoves, I would urge your honorable body to approve my action, and empower me to purchase said stoves, at an expense not exceeding *eighty dollars*. I have consulted with the Mayor and several members of the Police Committee, and they heartily agree with me in the course I have taken.

In my opinion, it would be much to the comfort and economy of the Station Houses, if the wood burners were in time entirely supplanted by the coal-burning stoves.

So far as tested, the latter heat the Station House far more thoroughly, and at much less cost of fuel.

I would also respectfully ask for authority to purchase, for use in the cells of the Station Houses, *one dozen* iron-bound tubs, which article is much needed just now, the expense not to exceed fifteen dollars.

Respectfully submitted.

GEORGE DRULLARD, Chief of Police.

Referred to the Committee on Police.

Ald. Beckwith and Scheu here appeared and took their seats.

The written resignation of J. A. Rathbun of the office of Inspector of Election for the 3d District of the Second Ward, was presented.

Ald. Savage moved taat the subject matter of said resignation be laid on the table. Carried.

PETITIONS.

Of Henry Hellriegel, to have personal tax remitted. Referred to Committee on Finance.

Of James Munroe, for permission to erect a wooden building on Virginia street near Palmer street.

Of John George Natchrieb, for permission to erect a wooden addition to his barn, near the corner of Main and Allen streets. Referred to the Committee on Fire.

Of C. B. Morse, for the release of Patrick Sullivan from the Penitentiary. Referred to the Committee on Police.

Of Wm. Hughes, for license to sell fresh meat at 274 Seneca street.

Of Anthony Weaver, for license to peddle fresh meat by the quarter.

Of Jacob Molder, for same. Referred to Committee on license.

Of John Level, for Fireman's certificate. Referred to City Clerk, with power.

Petition of Capt. A. S. Raze, for the release of John Charlesworth and Isaac Chambers from confinement in the Erie County Penitentiary.

Ald. Yaw moved that the prayer of the petition be granted. Lost for want of a two-thirds vote. Ayes, 17; Noes, 1.

Petition of Hose Co. No. 4, for leave to take their Hose cart to Toronto.

Ald. Yaw moved that the prayer of the petition be granted.

Ald. Storck moved as an amendment that said company be permitted to take their Hose Cart upon condition that they shall not be absent from the city more than one week. Carried. Ayes, 15; Noes, 3.

And the motion of Ald. Yaw as amended was then carried. Ayes, 15; Noes, 3.

Petition of H. Roop for permission to erect a brick slaughter and packing house for hogs only, on lot on Elk street, westerly side of New York and Erie Railroad.

Ald. Yaw moved that the prayer of the said petition be granted. Carried. Ayes, 18; Noes, 1.

ACCOUNTS REFERRED.

David Walker, Jr., for repairing Staats street, in front of Niagara Market Ground.

Same, for repairing Cedar street, between southerly curb line of Batavia street and a point 300 feet southerly therefrom.

A. D. Morton, for repairing Fulton street, between Chicago street and Old Basin Slip.

A. S. Swartz, for repairing Bridge over Prime Slip on Canal street.

W. I. Williams, for repairing Bridge across Prime Slip on Canal street. Referred to Committee on Streets.

Geo. Miller, for repairing sewer and receiver at northwest corner of South Division and Chesnut streets.

Same, for repairing sewer and receiver at northwest corner of Ellicott and Batavia streets.

Same, for repairing sewer and receiver at northwest corner of William and Bennett streets.

John Wannop, for reconstructing sewer to receiver at northeast corner of South Division and Michigan streets.

Same, for reparing sewer to receiver at northwest corner of Goodell and Michigan streets.

Same, for repairing sewer in Washington street, between Burton Alley and Virginia street. Referred to Committee on Sewers.

L. Williams, for repairing sidewalk on north side of Swan street, between New York Central Railroad and Seneca street.

Same, for repairing sidewalk on westerly side of Elm street, between Batavia street and a point 115 feet northerly therefrom.

Same, for repairing crosswalk across Spring street, on southerly side of William street.

Same, for constructing crosswalk across South Division street, on westerly side of Jefferson street.

Same, for repairing crosswalk across Madison street, on southerly side of William street. Referred to Committee on Side and Crosswalks.

Felthousen & Russell, for sundries for Fire Department.

Buffalo Water Works Company, for repairing hydrants.

Wardwell, Webster & Co., for oil for Fire Department.

Elder & Stearns, for sundries for Fire Department. Referred to Committee on Fire.

John Wonnop, for repairing well on corner of South Division and Pine street.

John Gisel, (2 ac), for constructing well on corner of Sycamore and Pratt street.

Same, for repairing pump to well on south side of William street, opposite Potter street. Referred to Committee on Water.

Michael Wiedrich, (2d) for disbursments. Referred to Committee on Claims.

H. G. White, for glass, &c., for Police Stations. Referred to Committee on Police.

Adam Diehl, for repairing bridge across Scajaquada creek on Walden street.

E. F. Blackmond, for repairing sidewalk easterly side of North Washington street, between Bouck and Bird Avenue.

William Farmer, Jr., for repairing Military Road, from Amherst street to city line.

Same, for repairing Military Road, from State Ditch to city line. Referred to Committee on New Territory.

REPORTS OF COMMITTEES.

Ald. Howard, from the Committee on Finance, reported in favor of the adoption of the following resolutions:

That the City Comptroller upon the payment to him by Wm. W. Wight of the usual fees charged for issuing declarations of sale, be and he is hereby authorized to issue to the said Wight a certified copy under the city seal of the record of each of the following declarations of sale:

Declaration of sale issued October, 5, 1855, upon the tax sale of February 5, 1858, for 500 years, upon a lot 20 feet front on the south side of Exchange street, and 51 feet deep on the east side of Washington street, recorded in Book of Declarations of Sale at page 38.

Declaration of Sale issued October 6, 1855, upon the tax sale of February 5, 1858, for 500 years, upon a lot 65 feet front on the south side of Exchange street, commencing 207 feet east of Beak street and being 100 feet deep, recorded at page 38.

Declaration of Sale issued October 5, 1855, upon the tax sale of August 20, 1858, for 500 years, upon the lot last above mentioned and recorded at page 41.

Declaration of Sale issued October 5, 1855, upon the tax sale of August 2, 1858, for 500 years, upon the lot last above described and recorded at page 41. Adopted.

That John T. Tilly have leave to withdraw his petition asking for a declaration of sale upon the Tax Certificates No. 3,316, 2,958 and 3,041, of the sale of June 1st, 1859. Adopted.

Ald. Palmer, from the Committee on Streets, together with the City Attorney, presented the following, and recommended its adoption:

The Committee on Streets, and the City Attorney, to whom was referred the communication of the Street Commissioner, in regard to the bridge over Buffalo Creek, at Ohio street, hereby report that they are of opinion that the request of the Street Commissioner is reasonable, and should be granted, and they therefore recommend the adoption of the following resolutions:

Resolved, That the Street Commissioner be and he is hereby directed to remove the bridge of the Buffalo and Hamburgh Turnpike Company, over Buffalo Creek, at Ohio street, and to remove all obstructions to the free navigation of said Creek at that point, unless the same be done by said Company within ten days after the service of a copy of this resolution on said Company, and the Street Commissioner is hereby directed to serve a copy hereof on said Company forthwith.

Resolved, That if any action shall be commenced against the Street Commissioner for any proceedings taken by him in compliance with the directions of the foregoing resolution, the city of Buffalo will assume the defence of such action, and will pay all damages and costs which may be recovered against said Street Commissioner in such action. Adopted. Ayes, 19; Noes, 0.

Ald. Palmer, from the Committee on Streets, also reported in favor of the adoption of the following resolutions:

That Fourth street, between Court and Carolina streets, be repaired, by filling holes, at an expense not to exceed $50 00, and that so much of the resolution, passed Sept. 23d, ordering said street repaired at an expense of $25, be rescinded. Adopted. Ayes, 20; Noes, 0.

That the Street Commissioner cause the carriageway on the westerly side of Cazenovia Terrace, from the crosswalk on the southerly side of Court street, to a point 100 feet southerly therefrom, to be repaired at an expense not exceeding $65 00, and report; and that so much of the resolution passed July 22d, 1861, limiting the expense of repair at $50 00, be rescinded. Adopted. Ayes, 20; Noes, 0.

That the Street Commissioner cause Mackinaw street to be repaired at the junction of Hamburg street, by raising the street each side of the cross walk so as to be passable for loaded teams, at an expense not exceeding $6, and report. Adopted.

That the Street Commissioner cause Main street, between the north and south line of Exchange street extended, to be repaired by taking up the pavement and relaying the same at an expense not exceeding $100, and report. Adopted.

Also reported in favor of allowing the following accounts, and of drawing orders for the same:

David Walker, Jr., for repairing Tupper street, between Ellicott and Oak streets, amounting to $24 66.

George Miller, for repairing Best street, between Main and Michigan streets, amounting to $9 50. Adopted.

Ald. Brush, from the Committee on Sewers reported in favor of the adoption of the following resolutions:

That it is hereby ordered that a brick sewer be constructed three feet diameter in the clear, with walls eight inches thick, in the sidewalk on the northerly side of Batavia street, westerly from the sewer in the centre of Emslie street, to the easterly line of Jefferson street, and that the Street Commissioner is hereby directed to advertise six days in the City Paper for proposals for constructing said sewer and report such proposals to this Council. Adopted—Ayes, 19; noes 0:

Also, in favor of allowing the following accounts and of drawing orders for the same.

John Wannop, for opening and repairing sewer and receiver on the north side of River street, east of slip No. 1—$2 03.

Same for repairing sewer and receiver at the northeast corner of Huron and Pearl streets—$6 08.

Same for repairing sewer in Hudson street, between Fifth and Sixth streets—$2 38.

George Miller, for repairing sewer and receiver at the southwest corner of Elk street market ground and Scott streets—$10 00. Adopted.

Ald. Yaw from the Committee on Fire, reported in favor of allowing the following accounts, and of drawing orders for the same.

Philip Reef, for labor for Fire Department—$9 75.

Nicholas Nipper, for washing for same—$5 00.

William Taylor, for repairing hose for same—$21 00.

William Wasson, for one span of horses for same—$215 00.

Wm. I. Williams, for labor, &c., for same—$18 76.

W. H. H. Newman, for hose couplings, &c., for same—$14 19.

Marsh & Dickey, for sundries for same—$33 41.

Thos. B. French, for two hose carts—248 00. Adopted.

Also reported adversely to granting the remonstrances of W. E. Ficken against permission being granted to E. C. Blanchett to erect or finish off a frame building in the rear of No. 182 Niagara street. Adopted.

Also reported in favor of the adoption of the folowing resolutions.

That an order on the General Fund 1861, Fire Department, for $19, be drawn in favor of Ach & Stock, being in full for balance on their contract for furnishing three setts of single harness for the Fire Department. Adopted.

That permission be, and is hereby granted to Peter Wex to remove a one story frame building from the front of his lot situated on the west side of Elm street, 263 feet south of Tupper street, to the rear of the same, the same to be done within three months, under the direction of the Street Commissioner, and subject to the further order of this Council. Adopted. Ayes, 19; Noes, 0.

That permission be, and is hereby granted to the United States Express Company to erect a wooden shed 75 feet in length, 14 feet high, and 22 feet wide, on the vacant lot north of the building occupied by Messrs. E. Corning & Co., such shed not to be used for the storing of hay, straw, or any other combustible material, and to be completed within three months, under the direction of the Fire Marshal, and subject to the further order of the Council. Adopted. Ayes, 19; Noes, 0.

Ald. Jones, from the Committee on Water, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause a new pump to be furnished and placed in the public well at the corner of Goodell and Mulberry streets, at an expense not exceeding $15, and report. Adopted.

That the Street Commissioner cause the well at the corner of Goodell and Mulberry streets to be cleaned, at an expense not exceeding $3. Adopted.

That the Common Council intend to order a public well constructed at or near the corner of Peacock and Evans streets, and that the City Clerk cause the necessary notice of such intention to be duly published in the city paper. Adopted.

Also, in favor of allowing the following accounts, and of drawing orders for the same:

Klein & Dobinson, for repairing pump to the well at the corner of Michigan and High streets—$7 79.

Same for the same at the corner of Sixth and Maryland streets—$2.

Same for do. at the corner of Maiden Lane and Canal streets—$2 31.

Same for do. at the corner of Jefferson and William streets—$1 50.

Same for do. at the corner of South Division and Pine streets—$1 75.

Same for do. on Elm street, between Clinton and Batavia streets—$1 63.

Same for do. at the corner of Seneca and Pearl streets—$1 25.

Same for do. at the corner of Eagle street and the Terrace—$7 75.

Same for do. at the corner of Pine and Swan streets—$1 75

Same for do. on Carroll street, between Louisiana and Alabama streets—$2.

Same for do. at the corner of Washington and Exchange streets—$3 07.

Same for do. at the corner of Michigan and South Division streets—$2 25.

Same for do. at the corner of South Division and Ellicott streets—$2 25.

Same for do. at the corner of Main street and the Terrace—$3 23.

Same for do. at the corner of Washington and Swan streets—$1 25.

Richard Hextall, for cleaning well at the corner of South Division and Pine streets—$5. Adopted.

Also, in favor of directing the City Assesors to make an assessment as follows:

Assess $25 for repairing and maintaining the public well and pump No. 67, located at the south-east corner of Walnut and Sycamore streets. Adopted.

Ald. Dayton, from the Committee on Claims, reported in favor of the adoption of the following resolutions:

That an order for $45 81 be drawn in favor of Peter Emslie, City Surveyor, for expenses in preparing maps of the new Election Districts, 1861. Adopted.

That an order for $3 be drawn in favor of Otis F. Presbrey, City Clerk, to pay expense of procuring Registry Laws, Instructions, &c., for the use of Inspectors at the coming Election. Adopted.

Ald. Dayton moved that the rules be suspended for the purpose of receiving a report from the Committee on Schools. Carried. Ayes, 18; noes, 0.

Ald. Dayton, from the Committee on Schools, then reported in favor of allowing the following accounts, and of drawing orders for same:

Peter Burgard, for wood for Schools—$427 96.

Elder & Stearns, for mats for Central School—$3.

Same, for papering at School House No. 32—$107 04.

Same, for window shades, &c., for School House No. 22—$13 87.

Wesley Emmons, for labor, etc., at sundry Schools—balance due, $17 18. Adopted.

Ald. Mills, from the Committee on Police, reported in favor of the adoption of the following resolutions:

That the Superintendent of the Erie County Penitentiary be directed to release from confinement therein Michael Callahan, convicted of an assault and battery before Justice Waldron on the 29th of August last, and sentenced to confinement in said penitentiary for the term of 60 days. Lost for want of a two-thirds vote.—Ayes, 16; Noes, 2.

Also in favor of allowing the following acounts, and of drawing orders for the same:

Eli Fontaine, for commitments to Penitentiary.—$27 75.

Geo. Drullard, for disbursements.—$18 27.

Hardiker & Toye, for plumbing for Police Department.—$4 48.

Ira Barnard, Jr., for wood for same.—$9 00. Adopted.

Ald. Jones, from the Committee on License, reported in favor of authorizing His Honor the Mayor to grant licenses to sell and peddle fresh meat as follows:

Walter Smith, to peddle by the quarter.

John Hamper, same.

Jacob Hitzel, on Seneca street between Alabama and Louisiana streets.

Peter Volker, on southeast corner of Batavia and Monroe streets. Adopted.

Ald. Crowder from the Committee on New Territory, reported in favor of the adoption of the following resolutions.

That, it is hereby ordered that the sewer in Albany street, between Niagara street and the Erie Canal be repaired, and the City Surveyor is hereby directed to prepare a suitable plan and specifications for repairing said sewer, and that the Street Commissioner advertise 6 days in the city paper for proposals to do said work, in accordance with such plan and specifications, and report such proposals to this Council. Adopted.

That, the Street Commissioner cause a culvert across Thompson street, on the southerly side of Austin street, to be constructed at an expense not exceeding $7 00.—Adopted.

That, the Street Comissioner cause Tonawanda street to be repaired between Amherst and Niagara streets, by filling where necessary, at an expense not exceeding $25, and report. Adopted.

That, the Street Commissioner cause Tonawanda street to be repaired between Niagara and Amherst street, by filling holds, at an expense not exceeding $25, and report. Adopted.

Also in favor of allowing the following account, and of drawing an order for the same.

William Farmer, Jr., for repairing a wood culvert across Elmwood avenue, about 150 feet southerly from Bouck avenue—$7 91. Adopted.

Ald. Swartz moved that the Rules be temporarily suspended for the purpose of receiving a Report from the Committee on Side and Crosswalks. Out of order. Lost for want of a two-third vote. Ayes, 16; Noes, 4.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Swartz—That this Council declare the seat of Ald. Pratt vacant, and an Alderman to be elected to fill the vacancy at the ensuing election.

Ald. Stork moved that said resolution be referred to the Committee on Finance, for investigation, and report. Carried.

By Ald. Beckwith—That the Special Committee on Election Districts, &c., and the City Attorney be requested to examine and report the true construction of Section 6, of Title 2, of the new Charter, and the proper mode of carrying the provisions of said Section into execution at the coming election. Adopted.

By Ald. Dayton—That the Common Council intend to construct a sidewalk on the west side of Niagara street, between Amherst street and Austin street, said walk to be constructed of good pine plank, two inches thick, the walk to be four feet wide, and that the City Clerk give the necessary notice. Adopted.

By Ald. Howard—That the resolutions adopted by this Council, Oct. 14, 1861, in the words following, to wit:

That the owners of the land on the southwesterly side of Fourteenth street, between Massachusetts and Rhode Island streets, cause a sidewalk to be constructed in front of their respective lots, three feet wide, of good hemlock plank, three inches thick, within five days, from the service of a notice to do the same, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $75, and report.

That the Street Commissioner cause a plank cross walk to be contructed across Rhode Island street, on the southwesterly side of Fourteenth street, three feet wide, of good hemlock plank, three inches thick and report.

That the Street Commissioner cause a plank crosswalk to be constructed across Fourteenth street, on the southeasterly side of Rhode Island street, three feet wide, of good hemlock plank, 3 inches thick, at an expense not exceeding $8, and report, be and the same is hereby rescinded. Adopted. Ayes, 20; Noes, 0.

By Ald. Jones—That the public well at the corner of Hickory and Clinton streets be deepened by drilling into the rock at the bottom of said well, at an expense not exceeding $100, and that the Street Commissioner is hereby directed to advertise in the city paper for proposals for doing the same, and report such proposals to this Council.

Ald. Jones moved that Rule No. 30, of the Rules and orders of the Council, be temporarily suspended, for the purpose of passing the foregoing resolution. Lost for want of a two-thirds vote. Ayes, 17; Noes, 3.

And the said resolution was then ruled out of order.

By Ald. Dayton—That the Street Commissioner advertive five days for proposals for constructing a stone sidewalk on the north side of Amherst street, between Niagara and Dearborn streets, said sidewalk to be four feet wide. Adopted.

By Ald. Howard—That so much of the report of the Committee on New Territory, as was adopted by this Council, on the 23d day of September last, ordering the Assessors to make an assessment for $28 15, for repairing Clinton street, at both ends of the bridge, over a ravine, about 200 feet westerly of Buffalo and New York Central Railroad, be, and is hereby recinded. Adopted. Ayes, 19; Noes, 0.

By Ald. Allen—That the City Surveyor be, and he is hereby authorised and directed to employ a suitable person to superintend the dredging now being done at the entrance of the harbor, by Thomas Dunbar and Wm R. Strong, at a price not to exceed $1 50 per day. Adopted.

By Ald. Howard—That an order for $1 88, in favor of David Walker, Jr., be drawn on the Special Local Fund for repairing crosswalk across Fourteenth street, on the northwest side of York street, and that the Comptroller be directed to cancel an order drawn August 12th, for the same amount on the same fund, for repairing crosswalk across Fourteenth street, on the northwest side of Vermont street. Adopted.

Resolutions were offered and referred to Committees as follows:

That the wood culvert across Brown street, on the east side of Jefferson street, be repaired.

That the wood culvert across Allen street, on the westerly side of Delaware street, be repaired. Referred to Committee on Streets.

That the sewer in the sidewalk on the easterly side of Pine street, passing the well at the northeast corner of South Division and Pine streets, be repaired.

That the receiver and sewer at the northeast corner of Huron and Delaware streets, be repaired. Referred to Committee on Sewers.

That the plank crossswalk across Alabama street, on the northerly side of Fulton street, be re-constructed.

That the sidewalk on the east side of Chicago street, between Miami and Ohio streets, be repaired.

That a stone crosswalk across Ninth street, on the northerly side of Huron street, be constructed.

That the crosswalk on the westerly side of Pine street, crossing Batavia street, be raised to a suitable heighth.

That the sidewalk on the westerly side of Hamburgh street, between Fulton and Elk streets, be repaired.

That the sidewalk on the westerly side of Hamburgh street, between Perry street and the bridge crossing the ditch at the head of the Main and Hamburgh street Canal, be repaired.

That the sidewalk on the west side of Boston Alley, between Oak and Tupper streets, be repaired. Referred to Committee on Side and Crosswalks.

That a sidewalk on the westerly side of Fourteenth street, from the line of Massachusetts street to a point 400 feet southeasterly therefrom, be constructed.

That the wood culvert across Bird Avenue, on the east side of North Washington street, be repaired.

That the bridge on William street, between Lockwood street and the New York Central Railroad, be repaired.

That Elk street, about 400 feet easterly from Smith street, be repaired.

That the Williamsville Road, between William street and the New York and Erie Railroad, be repaired. Referred to Committee on New Territory.

Ald. Mills moved that the Council do now adjourn.—Carried.

The Common Council adjourned to meet next Monday afternoon, October 28th, 1861, at two o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 38.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Oct. 28, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq , President of the Council; and Ald. Adams, Allen, Beckwith, Brush, Crowder, Felton, Grass, Hannovan, Jones, Mills, Savage, Scheu, Storck, Swartz, Walsh Wheeler and Yaw.

Absent—Ald. Dayton, Dorr, Goembel, Howard, Palmer, Pratt, Russell and Rutter.

The minutes of the last meeting were approved

COMMUNICATIONS FROM HIS HONOR THE MAYOR

BUFFALO, Oct 25, 1861.

To the Hon. Common Council:

GENTLEMEN: I return without approval the resolutions adopted on the 14th inst. The first resolution provides for the repairing of a plank side walk on the westerly side of Hamburgh street, between Mackinaw street and Sandusky street The second provides for a work on same street similar to the first, except that the work is to be done between Sandusky street and the New York and Erie Railroad track. The first is in all respects similar to the others, except that the work is to be done between the New York and Erie Railroad track and South street

It will be seen by reference to the above described localities that it is intended to repair a plank side walk on the west side of Hamburgh street, between Mackinaw street, and South street, and that by making three orders for the improvement three distinct works are created involving the expense of three distinct assessments.

I deem this procedure very objectionable, because there is actually but one work and that it creates additional and unnecessary expense to the tax payer, and gives occasion for complaint on their part of unnecessary small assessments. There should be but one work and one assessment.

I return without approval the following resolution: "That Genesee street be repaired from the easterly line of Jefferson street to a point 204 feet easterly of Jefferson street, by opening the gutter and repairing a culvert on the northerly side of said Genesee street." The objection is that there is no limit to the expense, and if the amount should exceed fifty dollars the work would be done in express violation of the Charter.

Respectfully,

F. A. ALBERGER, Mayor

Filed, and subject matter referred to the Committee on Side and Cross Walks

OFFICERS OF THE CORPORATION.

The Comptroller reported the amounts due to the several clerks employed in his office for services during the month of October, also the amounts due sundry persons for rent of Police Stations Nos. 2 and 4, for the quarter ending November 1st, and also the amounts due to the Clerks employed in the office of the Street Commissioner for services during the month of October, and recommended that orders be drawn for the same. Filed and orders directed to be drawn.

FROM THE STREET COMMISSIONER.

In compliance with your directions, the undersigned advertised for proposals for constructing a wood bridge with stone abutments across Cazenovia Creek on Cazenovia Road, and have received the following, to wit:

James McGlinn, for completing the entire work—$1,338 93.

L. J. WATERS Street Commissioner.
By G. HYATT, Clerk.

Referred to Committee on New Territory.

FURTHER FROM THE STREET COMMISSIONER.

In compliance with your directions the undersigned advertised for proposals for constructing a brick and stone culvert across Clinton street, at a ravine between Bond street and the New York Central Railroad, and have received the following, to wit:

James McGlinn, for the entire work, $283 36; James Harraden, for same, $396; Henry Harter, Jr., $408; John Wanrop, for same, $525.

L. J. WATERS, Street Commissioner.
By G. HYATT, Clerk.

Referred to Committee on New Territory.

FROM THE SUPERINTENDENT OF SCHOOLS.

Herewith I communicate the Pay Roll of the Teachers in the Public Schools for the first half (eight weeks) of the third term of 1861. I certify that on this day there is due to each Teacher the sum set opposite his or her name, and recommend that orders be drawn in their favor accordingly. The whole sum called for is $12,321 34.

SANFORD B. HUNT.
Superintendent of Schools.

Ald. Wheeler moved that such communication be filed and that orders be drawn as recommended. Carried.

The City Surveyor reported the amounts due to the several persons employed in his office for services during the month of October, and recommended that orders be drawn for the same. Filed and orders directed to be drawn.

The Receiver of Taxes reported the amounts due to the several clerks employed in his office for services during the month of October, and recommended that orders be drawn for same. Filed and orders directed to be drawn.

FROM THE FIRE MARSHAL.

I would respectfully recommend that an order be drawn in favor of Sidney Shepard for two hundred and fifty dolars, deliverable on Nov. 1st, to apply on rent of the Steam Fire Engine "Seneca," as per agreement.

D. KISSOCK, Fire Marshal.

Filed and order directed to be drawn.

The Fire Marshal also reported the amounts due to the several persons employed for the Fire Department for the month of October, and recommended that orders be drawn for same. Filed and orders directed to be drawn

The City Clerk reported the amounts due to the several Clerks employed in his office—to the Harbor Masters—to the Porters to the City Buildings—to the Scavenger, and to the Keeper of the Pest House, for services during the month of October, and recommended that orders be drawn for same. Filed and orders directed to be drawn.

Ald. Dayton and Rutter here appeared and took their seats.

The Overseer of the Poor reported the amounts due to the Clerks employed in his office, for services during the month of October. Filed and orders directed to be drawn.

The written resignation of A. A. Howard of the office of Alderman of the Eleventh Ward of the city of Buffalo was presented. Filed and resignation accepted.

Whereupon Ald. Adams offered the following:

Resolved, That the Common Council of the city of Buffalo do hereby order a special election to be held in the Eleventh Ward of said city, on Tuesday, November 5th, 1861, for the purpose of electing an Alderman for said Ward, to fill the vacancy occasioned by the resignation of Austin A. Howard, and the City Clerk is hereby directed to cause the necessary notice of such election to be published. Adopted.

The written resignation of Ludger D. La Reau of the office of Commissioner of Deeds for the city of Buffalo, was presented. Filed and resignation accepted.

Ald. Adams moved that Walter M. Young be appointed a Commissioner of Deeds, to fill the vacancy occasioned by the resignation of Ludger D. La Reau. Carried.

PETITIONS.

Of John T. Tilley, for a declaration of sale on lot on west side of Pearl street, part of outer lot No. 50, lying 100 feet north of Virginia street, being 50 feet front by 110 feet deep.

Of Same, for same on lot on north side of Swan street, part of outer lot No. 104, lying 60 feet east of Chestnut street, being 27½ feet front by 115 feet deep.

Of O. H. Marshall and A. Barker, to have a tax sale cancelled. Referred to Committee on Finance.

Of Sister Rosaline Brown and others, for sewer in Edward street, from Delaware to Virginia streets. Referred to Committee on Sewers.

Of sundry persons, to have sidewalk on the north side of Carlton street, between Seneca and Locust streets, repaired.

Of sundry persons, to have the sidewalk on the north side of Hudson street, between Fifth and Sixth streets, repaired. Referred to Committee on Side and Cross Walks.

Petion of A. S. Baze and others for the release of John Chralesworth, from confinement in the Erie County Penitentiary.

Ald. Felton moved that the prayer of the petition be granted Carried. Ayes, 21; Noes, none.

Petition of Alex. Goslin, for the release of William May from confinement in the Erie County Penitentiary.

Ald. Mills moved that the prayer of the petition be granted. Carried. Ayes, 18; Noes, 0.

Petition of Joana Clark and others, for the release of Dennis Clark from confinement in the Erie County Penitentiary.

Ald. Hanovan moved that the prayer of the petition be granted.

Ald. Stock moved to refer the same to the Committee on Police. Lost.

The motion of Ald. Hanovan was then lost for want of a two-thirds vote. Ayes, 16; Noes, 4.

Ald Hanovan moved to reconsider the vote. Carried.

Ald. Hanovan then moved that the prayer of the said petition be granted. Lost for want of a two-thirds vote. Ayes, 16; Noes, 3.

Petition of Michael Wolf, for permission to build a wooden barn, 16 by 20 feet, 1½ stories high, on his lot on Fifth street, between Court and Georgia streets.

Ald. Felton moved that the prayer of the said petition be granted. Carried. Ayes, 17; Noes, 0.

Petition of Wm. S. Scott, for permission to move frame dwelling from the east side of Michigan street, near Carlton street, to High street, 51 feet east of Ellicott street.

Ald. Swartz moved that the prayer of the said petition be granted under direction of the Street Commissioner and subject to the further order of this Council. Carried. Ayes 17; Noes 0.

Petition of S. F. Pratt, to have the action of the Council upon the confirmation of Roll No 2,837 reconsidered, on the ground that the same is illegal

Ald. Storck moved that roll No. 2,837 be withdrawn from the Receiver of Taxes office. Carried.

Ald. Stock then moved that the action of the Council in confirming said roll be reconsidered. Carried. Ayes 20; Noes 0.

On motion of Ald Storck the said roll was then referred back to the City Assessors for reconsideration.

Petition of John Zeir and others for the release of Edward Zimmerman from confinement in the Erie County Penitentiary.

Ald. Storck moved that the petitioners have leave to withdraw the said petition for the reason that the Council have no jurisdiction in the matter, the said Zimmerman having been convicted of the crime of assault and battery. Carried.

REMONSTRANCES.

Of sundry persons against granting license to Martin Buchecker to sell fresh meat on the northwest corner of Elm and Sycamore streets. Referred to Committee on License.

ACCOUNTS REFERRED.

P. A. Balcom, for rent of House in school district No. 15 for school purposes.

Wesley Emmons, for labor and materials for sundry schools. Referred to Committee on Schools.

George Miller, for platform stone over gutter on the southerly side of Huron street, at easterly corner of Ellicott street.

David Walker, for repairing Pine street, from Cypress street to Sycamore street.

Same for repairing Connecticut street, between Eleventh and Thirteenth streets. Referred to Committee on Streets.

William Taylor for repairing hose.

C. G. Matthews, same.

Geo. Peugeot, for lantern for Fire Department. Referred to Committee on Fire.

John Gisel, for repairing well and new pump at corner of Goodell and Mulberry streets. Referred to Committee on Water.

Geo. B. Mitchell, for commitments to the Penitenciary.

D. S. Reynolds, for same.

Frederick Hanes, for repairing chairs for Police Department. Referred to Committee on Police.

Wendt, Spick & Co., for salt for Clinton markets.

B. Potter, for removing snags from Buffalo Harbor.—Referred to Committee on Wharves, Harbors and Ferries.

Buffalo Gas Light Co., for gas for public lamps for Oct. 1861. J. G. Turner for lighting, &c., public lamps for Oct 1861. Referred to Committee on Public Lamps.

Wm. I. Williams, for repairing wood culvert across Eleventh street, on the southeast line of Massachusetts street. Referred to Committee on New Territory.

REPORTS OF COMMITTEES.

Ald. Felton was called to the Chair.

Ald. Yaw, from the Committee on Finance, reported in favor of the adoption of the following resolutions:

That the prayer contained in the petitions of Henry Hellriegel and Emanuel Levi, to have certain taxes remitted, be and the same is hereby denied and that they have leave to withdraw said petitions. Adopted.

That the personal tax, 1861, against Ira Merriil as Trustee on Trust estate, $5000, be and the same is hereby remitted and the Comptroller is hereby directed to cancel said tax and give the proper credit to the Receiver of Taxes. Adopted.

That an order for $303 14 be drawn on the Local Fund balance account, in favor of the Comptroller, with which to take up and pay the following described Local orders, together with interest on same, to Oct. 30, 1861, viz: No. 5382, for $75, dated Dec. 31st, 1853; No. 3720, for $25, dated Oct. 17th, 1853; No. 4147, for $50, dated Nov. 9th, 1853; No. 172, for $50, dated February 6th, 1853. Adopted.

Ald. Wheeler, from the Committee on Schools, reported in favor of the adoption of the following resolutions:

That orders be drawn on the local Fund of School District No. 8 for $31; on local Fund of School District No. 24 for $30; on local Fund of District No. 14 for $48; and on local Fund of District No. 33 for $46, in favor of Peter Messner, in full for his accounts for desks for the above named Districts. Adopted.

That the assessment roll confirmed by this Council on the 7th inst., "for the purpose of paying for the building, furnishing, and the repairs of the School House, and the appurtenances thereto, in School District No. 6," being roll No. 2499, be and the same is hereby annulled, and all action heretofore had by this Council inconsistent with this resolution, be and the same is hereby rescinded. Adopted. Ayes, 18; noes, 0.

Also, in favor of allowing the following accounts and of drawing orders for the same:

Wesley Emmons, for labor, etc., at sundry School Houses—$141 45. Adopted.

The President resumed the Chair.

Ald. Yaw, from the Committee on Streets, reported in favor of allowing the following accounts and of drawing orders for same:

A. S. Swartz, for repairing the bridge across Prime Slip on Canal street—$19 22.

A. D. Morton, for repairing Fulton street, between Chicago street and Ohio Basin Slip—$25. Adopted.

Also, in favor of directing the City Assessors to make an assessment as follows:

Assess $71, for repairing bridge across Prime Slip, on Canal street, between Main and Lloyd streets. Adopted.

Ald. Brush, from the Committee on Sewers, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause a sewer and receiver at the southwest corner of Hudson and Ninth streets, to be repaired at an expense not exceeding $15, and report. Adopted. Ayes, 14; Noes, 3.

That the Street Commissioner cause the sewer and receiver at the northeast corner of Huron and Delaware streets, to be repaired at an expense not exceeding $18, and report. Adopted.

That the Street Commissioner cause the sewer in the sidewalk on the easterly side of Pine street, passing the well at the northeast corner of South Division and Pine streets to be repaired at an expense not exceeding $10, and report. Adopted.

Also in favor of allowing the following accounts and of drawing orders for the same:

George Miller, for repairing sewer and receiver at the northwest corner of Ellicott and Batavia streets—$4 13.

Same, for repairing sewer and receiver at the northwest corner of South Division and Chestnut streets—$3 88.

Same, for repairing sewer and receiver at the northwest corner of William and Bennett streets—$6 58.

John Wannop, for repairing sewer in Washington street, between Burton Alley and Virginia street (so called)—$3 74.

Same, for repairing sewer and receiver at the northwest corner of Godell and Michigan streets—$6 68.

Herman Schoy for constructing a brick sewer in the south side of Seneca street, from the termination of the present sewer in said street to the old city line, as per contract—$328 50. Adopted.

Also in favor of directing the City Assessors to make an assessment as follows:

Assess $9 13 for reconstructing sewer and receiver at the northeast corner of South Division and Michigan streets. Adopted.

Ald. Swartz, from the Committee on Side and Cross Walks, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause the plank cross walk across Morgan street on the southerly side of Edward street to be reconstructed at an expense not exceeding $4, and report. Adopted.

That the owners of land on the easterly side of Michigan street, between Fulton and Elk streets, cause a sidewalk to be repaired in front of their respective lots by

substituting good new hemlock plank, three inches thick, where necessary, within 10 days, and if not done in that time that the Street Commissioner cause the same to be done at an expense not exceeding $40, and report.—Adopted.

That the owners of land on the easterly side of Michigan street, between Scott and Perry streets, cause a sidewalk to be repaired in front of their respective lots by substituting good new hemlock plank, three inches thick, where necessary within 10 days, and if not done in that time that the Street Commissioner cause the same to be done, at an expense not exceeding $30, and report.—Adopted.

That, the owners of land on the easterly side of Michigan street, between Perry and Fulton streets, cause a sidewalk to be repaired in front of their respective lots by substituting good new hemlock plank, three inches thick, where necessary, within ten days, and if not done in that time that the Street Commissioner cause the same to be done at an expense not exceeding $40, and report. Adopted.

That, the owners of land on the easterly side of the Elk Street Market ground, between Scott and Perry streets, cause a sidewalk to be repaired in front of their respective lots, by substituting good new hemlock plank three inches thick, where necessary, within ten days, and if not done in that time, that the Street Commissioner cause the same to be done at an expense not exceeding $30, and report. Adopted.

That, the owners of land on the northerly side of Clinton street, between Spring and Pratt streets, cause a sidewalk to be repaired in front of their respective lots, four feet wide, by substituting good new hemlock plank three inches thick, when necessary, within five days, and if not done in that time, that the Street Commissioner cause the same to be done at an expense not exceeding $20, and report.—Adopted.

That the owners of land on the easterly side of Hickory street, between William and Clinton streets, cause a sidewalk to be repaired in front of their respective lots, four feet wide, by substituting new hemlock plank three inches thick where necessary, within five days, and if not done within that time, that the Street Commissioner cause the same the same to be done, at an expense not exceeding $25, and report. Adopted.

That the owners of land on the northerly side of Batavia street, between Spruce and Ash streets, cause a sidewalk to be repaired in front of their respective lots, by levelling the same, and substituting new hemlock plank three inches thick where necessary, within five days, and if not done within that time, that the Street Commissioner cause the same to be done, at an expense not exceeding $50, and report. Adopted.

That the owners of land on the westerly side of Hickory street, between William and Clinton streets, cause a sidewalk to be repaired in front of their respective lots, four feet wide, by levelling the same, and substituting new hemlock plank three inches thick where necessary, within five days, and if not done within that time, that the Street Commissioner cause the same to be done, at an expense not exceeding $50, and report. Adopted.

That the owners of land on the northerly side of Hinkley street, between Spring and Mortimer streets, cause a sidewalk to be repaired in front of their respective lots, by substituting new hemlock plank three inches thick where necessary, within five days, and if not done within that time that the Street Commissioner cause the same to be done, at an expense not exceeding $80, and report. Adopted.

That the Street Commissioner cause the crosswalk across Batavia street, on the westerly side of Pine street, to be repaired, by raising the same so that the water can pass off, at an expense not exceeding $10, and report. Adopted.

That the owners of land on the northerly side of Lock street, between Erie street and Cazenovia Terrace, cause a sidewalk to be repaired in front of their respective lots, four feet wide, by substituting good new hemlock plank three inches thick where necessary, within ten days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $30, and report Adopted.

Also in favor of directing the City Assessors to make assessments as follows:

Assess $6 42, for repairing a sidewalk on the westerly side of Hamburgh street, between Fulton and Perry streets. Adopted.

Assess $100, for constructing a plank side walk on the westerly side of Oak street, between the southerly side of Virginia street (so called) and Carlton street. Adopted.

Assess $23 47, for repairing side walk on the north side of Swan street, between the N. Y. Central R. R. and Seneca street. Adopted.

Assess $3, for repairing side walk on the westerly side of Elm street, between the northerly line of Batavia street and a point 115 feet northerly therefrom. Adopted.

Also in favor of the adoption of the following resolution:

That the owners of the land on the southerly side of Pennsylvania street, between Niagara and Ninth streets, cause a sidewalk to be repaired in front of their respective lots, by substituting good new hemlock plank, three inches thick, where necessary, within five days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $15, and report. Adopted.

Ald. Beckwith was called to the Chair.

Ald. Yaw, from the Committee on Fire, reported in favor of allowing the following accounts and of drawing orders for the same:

Elder & Stearns, for sundries for Fire Department—$29 40.

Wardwell, Webster & Co., for oil for Fire Department—$21 97.

Feltheusen & Russell, for sundries for Fire Department—$20 81.

Buffalo Water Works Co., for repairing hydrants—$86 51. Adopted.

Also, in favor of the adoption of the following resolution:

That permission be, and is hereby granted to James Monroe to erect a wooden building on Virginia street, near the corner of Palmer street, such building to be 12 by 25 feet in size, and one story high, to be completed within three months, and to be built under the direction of the Fire Marshal, and subject to the further order of this Council. Adopted. Ayes, 16, Noes, 0.

That permission be, and is hereby granted to John George Natchriev, to build under the direction of the Fire Marshal, a wooden addition to his barn, near the corner of Main and Allen Streets, such addition to be 14 by 16 feet in size, to be placed near the centre of such lot, on the west side of Main street, at the head of Carlton street, to be completed within three months, and to be subject to removal at any time, when so ordered by the Common Council. Adopted. Ayes, 15; Noes, 0.

Ald. Jones, from the Committe on Water reported in favor of allowing the following accounts, and of drawing orders for same:

Nicholas Seibert, for pumping water from the well at the corner of Sycamore and Pratt streets, 3 days, at 78c. —$2 34.

Philip Schau, for the same—$2 34.

Joseph Zimmerman, for the same—$2 34.

John Wannop, for repairing the well at the corner of South Division street and Pine street—$7 01.

John Gisel, for taking out pump and cement, in well at the corner of Sycamore and Pratt streets—$13. Adopted.

Also in favor of the adoption of the following resolution:

That the public well at the corner of Hickory and Clinton streets be deepened by drilling the rock at the bottom of said well, to a sufficient depth to furnish the necessary supply of water, at an expense not exceeding $100, and that the Street Commissioner is hereby directed to advertise six days in the city paper for proposals to do the same, and report such proposals to the city Council. Adopted.

Ald. Dayton, from the Committee on Claims, reported in favor of allowing the following accounts and of drawing orders for the same.

Harriet Atwood, for cleaning city offices—$8 48.

F. C. Hill, for repairs in Mayor and City Clerk's offices —$9 25.

Hamlin & Mendson, for materials to decorate Council Chamber—$10 39.

Clapp, Matthews, & Waite, for printing for Board of Health—$9 00

Clapp, Matthews, & Waite, for printing for Mayor's office—$3 00.

Same, for same for Street Commissioner's office—$6 00.

Same, for same for Receiver of Taxes—$47 00.

P. H. Bender, for same—$13 00.

Same, for printing for Comptroller's office and Received of Taxes, allowed at—$41 00.

Bradley Rumsey for copying county rolls—$34 93.

Christopher Measel, for same—$31 24.

Clapp, Matthews & Waite, for Poll lists, etc—$136 85.

Same, for printing city charter—$396 00.

P. H. Bender, for advertising for Fire Marshal—$3 10. Adopted.

Ald. Mills, from the Committee on Police, reported in favor of the adoption of the following resolution:

That the Superintendent of the Erie County Penitentiary be and he is hereby directed to discharge from confinement in the Erie County Penitentiary Archibal Brown. Adopted. Ayes, 18; noes, 0.

Ald. Allen, from the Committee on Wharves, Harbors, and Ferries, reported in favor of the adoption of the following resolution:

That the City Surveyor and the Chairman of the Committee on Wharves, Harbors, and Ferries, be and they are hereby authorized and directed to contract with Wm. R. Strong and Thomas Dunbar to dredge Buffalo Harbor inside of the North pier, under the direction of the City Surveyor, at a price not exceeding eighteen cents per cubic yard, the aggregate not to exceed One Thousand Dollars. The said Surveyor to give written directions as to the place or places where such dredging shall be done, and report the same to this Council. Adopted.

Ald. Jones from the Committee on License, reported in favor of authorizing his Honor the Mayor to issue licenses to the following named persons to sell fresh meat at the places as hereinafter mentioned.

Wm. Hughes at No. 274 Seneca street.

Jacob Molder to peddle by the carcass.

Anthony Weaver, same.

Ludwig Decker, same. Adopted.

Ald. Yaw by unanimous consent offered the following resolution.

Resolved, That when this Council adjourns it adjourn to meet on Monday, November 11th, 1861, two weeks from this day.

Ald. Bemis moved to lay such resolution on the table. Carried. Ayes, 10; Nces, 7.

Ald. Crowder from the Committee on New Territory, reported in favor of the adoption of the following resolutions:

That, (when an assessment shall be confirmed to defray the expense) the Street Commissioner be authorized and directed to contract with James McGlinn for constructing a brick and stone culvert across Clinton street, at a ravine between Bond street and the New York Central Railroad, in accordance with the plan and specifications for doing the same at a sum not exceeding $288 36-100, said McGlinn being the lowest bidder. Adopted.

That, the City Assessors assess $286 36 for constructing a brick and stone culvert across Clinton street, at a ravine between Bond street and the New York Central Railroad. Adopted.

That the Street Commissioner cause Bird Avenue to be repaired, from the easterly line of Dewitt street, to a point 600 feet easterly therefrom, by opening the gutter on the northerly side at an expense not exceeding $15, and report. Adopted.

That the Street Commissioner cause the Williamsville Road to be repaired, by filling holes with stone chips, between William street and the New York and Erie Railroad, at an expense not exceeding $15, and report.—Adopted.

That the Street Commissioner cause the bridge on William street between Lockwood street and the New York Central Railroad, to be repaired at an expense not exceeding $10, and report. Adopted.

Also reported in favor of directing the City Assessors to make assessments as follows:

Assess $50 for repairing the Military Road, from Amherst street to the old city line. Adopted.

Assess $49 50 for repairing the Military Road, from the State Ditch to the city line. Adopted.

Assess $14 82, for constructing a wood culvert across Austin street, on the easterly side of Niagara street.—Adopted.

Also reported in favor of allowing the following accounts, and of drawing orders for the same:

Adam M. Diehl, for repairing the bridge across Scajaquada Creek, on Walden street—$4 85.

George Miller, for repairing Clinton street, at both ends of the bridge over a ravine about 200 feet westerly from Buffalo and New York Central Railroad—$28 15. Adopted.

SPECIAL COMMITTEES.

Ald. Adams, from the Special Committee on Election Districts, with whom was associated the City Attorney, offered the following:

The Special Committee on Election Districts and the City Attorney, who were requested to examine and report as to the true construction of Section 6 of Title 2 of the Charter, and the proper mode of carrying into effect the provisions of said section, hereby report:

That, in their opinion, the said section provides for the annual election of an Alderman and one Constable for the whole Ward, and for the like election of three Inspectors of Election and one Supervisor in each Election District of the City.

We are further of the opinion that the Alderman and Constable should be elected by the voters of the Ward at large, but that the Inspectors of Election and Supervisor should be elected by the electors of the Election District they are chosen for, and should be voted for only in that District, and not in the Ward at large.

Received and placed on file, and ordered printed.

The President here resumed the chair.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Scheu—That the Superintendent of Schools be requested to report to the Council, at its next meeting, the average attendance of pupils at the Common School in the 11th District of the city of Buffalo, during each year since the first day of January, 1856, and also the gross amount of moneys paid for or on account of the maintenance of said school, including teachers salary, fuel, repairs and all necessary and incidental expenses of said school during each year since said 1st day of January, 1856. Adopted.

By Ald. Storck,—That the Chief of Police be, and the same is hereby authorized and directed to contract for wood for the use of the different Police Stations in accordance with proposals published by order of the Committee on Police on the 19th of September, 1861, for a price not to exceed $4 00 per cord. Adopted.

By Ald. Felton—

Whereas, The volunteers in the 21st Regiment N. Y. S. Volunteers, now in service, are greatly in need of blankets, for their comfort and health, their old ones being nearly worn out, and such as were placed in the hands of the Committee for the Defence of the Federal Union having been loaned to the 49th Regiment; and

Whereas, Believing it the duty of the city of Buffalo to extend any aid to its volunteers which is consistent with the action of the Council creating a fund for the defence of the Federal Union, and in view of the difficulties of the general government in obtaining for its soldiers blankets necessary for their use; therefore,

Resolved, That the Committee for the Defence of the Federal Union be directed to purchase for the 21st Regiment N. Y. S. Volunteers, sufficient number of blankets to supply those borrowed from said Regiment and loaned to the 49th Regiment, and also such additional number as may be necessary for the use of the balance of said Regiment, and forward them to said Regiment, taking such receipt for such additional blankets from the proper authorities, as will enable the city to recover the amount from the general government.

Ald. Storck moved to refer same to Special Committee on Defence of the Federal Union, with power. Carried. Ayes 14, noes 4.

By Ald. Hanovan—That Dennis Clark be, and is hereby released from the Penitentiary, where he was imprisoned pursuant to sentence by Justice Lampman. Adopted.—Ayes 18, noes 0.

By Ald. Beckwith—That the Committee appointed by the Common Council, to manage and disburse the funds set apart and appropriated for the defence of the Federal Union, be requested to report once in three months the condition of the fund, and the amount and object of disbursements made by the Committee therefrom.—Adopted.

By Ald. Grass—That the Street Commissioner be and is hereby authorized and directed to cause the Liberty Pole on William street, in front of the Clinton Market, to be painted, at an expense not to exceed over Twenty-five Dollars, and report to this Council. Adopted.

By Ald. Storck—That the Committee on Finance, to whom was referred a resolution "that the seat of Ald Pratt, of the 7th Ward, be declared vacant, for reason that said Pratt has ceased to be a resident of the said Ward," be requested to report the facts of the case at the next meeting of this Council. Adopted.

By Ald Scheu—Whereas, Ald. A. A. Howard having resigned his seat and office as an Alderman of the 11th Ward of the city of Buffalo; and the said Alderman Howard being one of the Committee of this Council for the defence of the Federal Union; therefore,

Resolved, That the said place of said Howard, upon said Committee, be and the same is hereby declared vacated, and that the President of this Council is requested to fill such vacancy. Adopted.

The President appointed Ald. Dayton as a member of such Committee to fill such vacancy.

Resolutions were offered and referred to Committees as follows:

That High street, between Mulbury and Locust streets, be repaired.

That Haywood street, between Fulton and Elk streets, be repaired.

That Jefferson street, between South Division and Swan streets, be repaired.

That Pratt street, between Clinton and William streets, be repaired. Referred to the Committee on Streets.

That the sidewalk on the west side of Locust street, between High and Carlton streets, be repaired.

That the sidewalk on the west side of Locust street, 100 feet south of High street, be repaired.

That a crosswalk across Locust street, on the north side of Carlton street, be constructed.

That a crosswalk across Goodell Alley, on the south side of Goodell street, be re-constructed.

That a crosswalk across High street, on the west side of Locust street, be constructed. Referred to Committee on Side and Crosswalk.

That the Bridge across Smith street, on the northerly side of the Abbott road, be repaired.

That the Bridge across a Ravine, on the Williamsville Road, about 200 feet southerly from Clinton street, be reconstructed.

That the bridge across Cazenovia Creek, on the White's Corners Plank Road, be re-constructed.

That the sidewalk on the west side of Niagara street, between Hamilton and Austin streets, be repaired.

That a sidewalk on the west side of Niagara street, between Amherst and Hamilton streets, be constructed.

That the sidewalk on the east side of Niagara street, between Amherst and Hamilton streets, be repaired. Referred to Committee on New Territory.

Ald Dayton, moved that when this Council adjourns, it adjourn for two weeks.

Ald Yaw moved to lay the motion of Ald Dayton on the table. Lost. Ayes, 8; Noes, 8.

Ald Mills moved that this Council do now adjourn for two weeks.

Ald. Beckwith called for a division of the questions contained in the motion of Ald Mills.

The question was then taken on the first proposition, of said motion; viz: "That this Council do now adjourn," and the same was lost. Ayes, 8; Noes, 9.

The question was then taken on the second proposition of said motion; viz: "That when this Council adjourns, it adjourn for two weeks," and the same was carried.

Ald Allen then moved that this Council do now adjourn. Carried.

The Common Council adjourned to meet Monday afternoon, November 11th, 1861, at two o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 39.

CORPORATION PROCEEDINGS.

[SPECIAL MEETING.]

IN COMMON COUNCIL,
Buffalo, Thursday, Nov. 7, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council; and Ald. Adams, Allen, Brush, Crowder, Dayton, Goembel, Grass, Jones, Rutter, Savage, Storck, Swartz, Wheeler and Yaw.

Absent—Ald. Beckwith, Dorr, Felton, Hannovan, Mills, Palmer, Pratt, Russell, Scheu, and Walsh.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM HIS HONOR THE MAYOR

BUFFALO, Nov. 7, 1861.

To the Hon. Common Council:

GENTLEMEN.—The Union Defence Committee have requested me to ask that your Honorable Body direct an order to be drawn in their favor for five thousand dollars. The semi-monthly pay roll amounts to nearly twelve hundred dollars, the payments are made to the families of volunteers on the second and fourth Saturdays in each month. The next pay day is on Saturday next, and the means in the possession of the Committee are not near sufficient to discharge outstanding obligations.

It is for this purpose that I have this day convened an extra session of your Hon. Body, and for the transaction of such other business as may come before you.

I return, without approval, the resolutions adopted at your last session, directing sidewalk to be repaired on the easterly side of Michigan street, between Elk and Scott streets. The objection to the resolutions are that the order should be for one work instead of three, and that it is for the interest of tax-payers to have works consolidated as much as possible—preventing many small assessments, and the incidental expenses attached thereto.

I have been served with summons to appear before Charles Gardner, Esq., Justice of the Peace, on the 8th inst, to answer to the demand of James H. French.

Respectfully, F. A. ALBERGER, MAYOR.

Received and placed on file.

The following was presented:

STATE OF NEW YORK, } ss.
ERIE COUNTY.

Jasper Hodge, being duly sworn, says that he served a written notice on each Alderman in the City of Buffalo, that a special meeting of the Common Council of the city of Buffalo would be held on Thursday, November 7th, 1861, at 2 o'clock, except in the case of Ald. Nathaniel Jones; which to the best of his belief was served by William Withers. JASPER HODGE.

Sworn to before me this 7th day of November, 1861.

OTIS F. PRESBREY, City Clerk.

Received and placed on file.

Whereupon Ald. Jones, being present, acknowledged service of notice of such special meeting.

Ald. Adams then offered the following resolution:

Resolved, That the City Clerk be and he is hereby directed to draw an order for $5,000 upon the fund appropriated by this Council for the Defence of the Federal Union, in favor of F. A. Alberger, Chairman of the Union Defence Committee, and that the Comptroller deliver said order to the Treasurer of said Committee on filing with said Comptroller a receipt therefor. Adopted.

Ald. Adams then moved that the subject matter of so much of the foregoing communication from the Mayor as relates to the resolutions ordering side walks repaired, be referred to the Committee on Side and Cross Walks, and of so much thereof as relates to suit commenced by James H. French be referred to the City Attorney with power to defend. Carried.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

COMPTROLLER'S OFFICE,
Buffalo, Nov. 7, 1861.

To the Hon. Common Council:

Gentlemen: On the 31st ultimo there became due $3000 on bonds issued May 5, 1857, for purchase of school lot in District No. 31, and I recommend that an order be drawn in my favor for $3000, on the local fund in School District No. 31, with which to pay said bonds.

Respectfully,
ALONZO TANNER, Comptroller.

Ald. Dayton moved that said communication be filed, and that orders be drawn as recommended. Carried.

Ald. Dayton moved that the Council do now adjourn. Carried.

The Common Council then adjourned to meet next Monday afternoon, Nov. 11th, 1861, at 2 o'clock.

O. F. PRESBREY, City Clerk.

IN COMMON COUNCIL,
Buffalo, Monday, Nov. 11th, 1861,
At 2 o'clock, P. M.

Present—Asaph S. Bemis, Esq., President of the Council; and Ald. Brush, Crowder, Dayton, Felton, Goembel, Grass, Hannovan, Jones, Palmer, Rutter, Savage, Scheu, Storck, and Swartz.

Absent—Ald. Adams, Allen, Beckwith, Dorr, Howard, Mills, Pratt, Russell, Walsh, Wheeler and Yaw.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM THE MAYOR.

MAYOR'S OFFICE,
BUFFALO, November, 11, 1861.

To the Hon. Common Council:

GENTLEMEN:—I have been served with summons to appear before C. A. Waldron, Esq., Justice of the Peace, on the 18th inst., to answer to the demand of Joseph Larreau.

I appointed the following named persons Special Policemen, to assist in preserving peace on Election day: Peter Brits, Francis H, Rieman, Cyrenius C. Harris, J. B. Mason and Mathew Schuh, they are each entitled to pay for one days service.

Respectfully,

F. A. ALBERGER, Mayor.

Ald. Storck moved that said communication be received and filed, and that the subject matter of so much of same as relates to suit of Joseph Larreau, be referred to the City Attorney with instructions to defend if deemed advisable, and the subject matter of the balance to the Committee on Police.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

GENTLEMEN:—The single register in the large main room of this department is insufficient to warm the same, and I recommend that I be authorized to procure a stove and pipe, including expense of putting up, at an expense not exceeding $20.

ALONZO TANNER, Comptroller.

Referred to Committee on Public Grounds.

FURTHER FROM THE COMPTROLLER.

GENTLEMEN—On the 1st instant there became due Edwin Thomas per Bank of Attica, Assignee, $62 50 for six months' rent on lease, for premises occupied by Hose Company No. 4, and it is recommended that an order be drawn in favor of said party for $62 50, on the general fund of 1861, Fire Department, in full payment of such rent.

There also became due on the 9th inst., $93 10 interest on $2,660, 7 per cent. bond, issued May 9, 1857, for school lot in district No. 83, payable at this office, and I recommend that an order be drawn for this amount on the local fund in said school district in my favor, with which to pay said interest.

I also report that there is due the Buffalo Mutual Insurance Company $80 for renewal of policy May 15, in school district No. 16, and $22 50 for renewal of policy in district No. 20, June 21, 1861. At the time of these renewals the funds in these districts were not good and for this reason orders were not drawn. I recommend that orders be drawn in favor of A. A. Eustaphieve, Secretary, on said local funds respectively for said amounts in full payment of such renewals.

I also report that orders drawn on the 28th ultimo, in favor of Clapp, Mathews & Waite for $8, Receiver of Taxes Department, and $38, Comptroller's Department, have been withheld by me for the reason that said Departments are not properly debited by such drawing. The orders should be drawn for $16 against this Department, and for $25 against the Receiver's Department, and I recommend that orders be drawn accordingly in favor of said Clapp, Mathews & Waite, and that orders as aforesaid be cancelled by me.

ALONZO TANNER, Comptroller.

Laid on the table temporarily. The said communication was afterwards taken up, and the recommendations herein contained were on motion. Adopted. Ayes 21; Noes, 0.

FURTHER FROM THE COMPTROLLER.

GENTLEMEN—I hereby report to your honorable body, in compliance with a report from the Finance Committee, adopted on the 7th ultimo, that the amount belonging to the Grosvenor Library Fund, on the 1st inst., is $50,108. The following schedule will show in detail the items making the fund, from which it will be seen that there is in cash $4,906 in the city Treasury to the credit of said fund, and I recommend that an order be drawn in my favor for said sum of $4,906 on said fund, and that I be directed to hand the same to Messrs. Marshall, Masten and Babcock, Trustees, &c., and take their receipt for the same, inclusive of securities, also to be passed to their keeping.

ALONZO TANNER, Comptroller.

Ald. Storck moved that such communication be received and filed, and that an order be drawn as recommended. Carried.

The following is the schedule referred to in the foregoing communication from the Comptroller:

GROSVENOR LIBRARY FUND in Account with the City of Buffalo.

1859.		
Oct. 31	By B. & M. executed by H. W. Warren to S. Grosvenor, July 15th, 1857.....	$25,000 00
" "	By B. & M. executed by N. Wild to S. Grosvenor, Nov. 15th, 1851.....	10,000 00
Nov. 9	By cash being balance of S. Grosvenor's bequest,, deducting interest due on above bonds to Oct. 4th.....	4,871 95
1860.		
Jan'y 6	By six mo. Interest due on H. W. Warren's B. & M., from July 2d, 1859.....	875 00
" "	By six mo. Interest due on N. Wild's B. & M., from July 1st. 1859.....	850 00
M'rch 6	By B. & M. executed by B. A. Jerome to city of Buffalo this date.....	225 00
" 12	By B. & M. executed by J. Davis to city of Buffalo this date.....	2,000 00
" 15	By B. and M. executed by H. J. Brown to city of Buffalo this date.....	600 00
" 19	By B. and M. executed by R. Bryant to city of Buffalo this date.....	300 00
June 1	By Interest on deposits to date.....	101 03
July 7	" Int. on J. Davis' B. M. to 1st inst.	42 00
" "	" " on H J. Brown's " to " "	12 48
" "	" " on H. W. Warren's " to 2nd "	875 00
" "	" " on N. Wild's " to 1st "	850 00
" "	" " on R, Bryant's " to " "	5 77
" "	" " on B. A. Jerome's " to " "	5 03
" 16	" B. and M. executed by J. Inglis to city of Buffalo this date.....	700 00
Dec. 4	By Int. on deposits to Nov. 1st.....	71 11
" "	By B. and M. executed by D. Kisseck to city of Buffalo this date.....	1,175 00

1861.		
Jan. 2	By Int. on R. Bryant's B. & M. to 1st inst	10 50
" "	" " on B. A. Jerome's " to " "	7 87
" "	" " on N. Wild's " to " "	350 00
" "	" " on H. J. Brown's " to " "	21 00
" 6	" " on J. Davis' " to " "	70 00
" "	" B. and M. executed by B. A. Jerome to city of Buffalo this date.....	100 00
" 8	By Int. on H. W. Warren's B. and M. to 2nd inst.....	875 00
" 19	By Interest on deposits to 1st inst..	31 77
July 1	" " on R. Bryant's B. and M. to date.....	10 50
" "	By Int. on N. Wild's B. and M. to date	350 00
" 3	" " on H. J. Brown's " to "	21 00
" 5	" " on J. Davis' " to "	70 00
" 8	" " on H. W. Warren's " to 2d inst.	875 00
Aug. 19	" " on B. A. Jerome's B's. and M's. to July 1st.....	11 37
Oct. 9	By Premium on drafts from Wild & Warren.....	9 19
Nov. 1	By Int. on J. Inglis' B. & M. to July 1.	45 60
" "	" " on deposits to date.....	189 83
		$50,108 00

1860.			
March 5	To order drawn for investments	$2,600	
" 8	" " " " "	225	
" 19	" " " " "	1,000	
April 9	" " " " disbursem'ts	2	
1861.			
Jan'y 5	" " " " investments	1,275	
Nov. 11	" 9 Bonds and Mortgages amounting to.....	40,100	45,202 00
	Balance in Treasury.....		$ 4,906 00

Ald. Walsh here appeared and took his seat.

FROM THE CITY SURVEYOR AND STREET COMMISSIONER.

The undersigned, City Surveyor and Street Commissioner, report that they have examined the Breakwater along the shore of Lake Erie, from Outer Lot No. 50 to the southerly bounds of the city, and find the same in good condition, and that Dean Candee has completed the repairs in accordance with the terms of his contract, dated August 22d, 1860. Also the driving of piles and planking ordered by your honorable body September 23d, 1861.

PETER EMSLIE, City Surveyor.
L. J. WATERS, Street Commissioner.

Referred to Committee on New Territory.

FROM THE STREET COMMISSIONER.

In compliance with your directions passed September 30th, the undersigned has secured the several bridges, and materials belonging to the same, that were carried away and damaged by the flood on the 26th and 27th of September last, and in doing so, it was necessary in some cases to use a portion of new material in order to fit them for public use, but have avoided expense where it was possible. The expense of the work and materials for each bridge, severally, are as follows, to wit;

Bridge repaired across a ravine on Mineral Spring st., about fifty rods northerly from the Aurora Plank Road—$38 56.

Bridge re-constructed across a ravine on the Williamsville Road, about 200 feet southerly from Clinton street—$41 99.

Bridge repaired on the Williamsville Road, between William street and the N. York Central Railroad—$27 95.

Bridge re-constructed across Cazenovia Creek, on the White's Corners Plank Road leading from Seneca street, (some new timber used]—$98 64.

Bridge replaced across Smith street, on the northerly side of the Abbott Road, (erroneously ordered on northerly side of White's Corners Plank Road, Sept. 30th)—$6 57. And the undersigned fearing that the order passed by your Honorable Body, Sept, 30th, 1860, may not be sufficient to base an assessment upon, respectfully recommend that the several works be ordered in due form as herein reported.

L. J. WATERS, Street Commissioner.

Referred to Committee on New Territory.

FURTHER FROM THE STREET COMMISSIONER.

In compliance with your directions, the undersigned advertised for proposals for constructing a brick sewer in the sidewalk on the northerly side of Batavia street, from the sewer in the centre of Emslie street westerly to the easterly line of Jefferson street, and have received the following, to wit:

James Haraden, per lineal foot.....	$1 29
T. B. Tilden, " "	1 49
James McGlinn, " "	1 53
Henry Harter, Jr., " "	1 54

The proposals are for completing the entire work, per lineal foot, without charge for rocks.

L. J. WATERS, Street Commissioner.

Referred to Committee on Sewers.

FURTHER FROM THE STREET COMMISSIONER.

In compliance with your directions, the undersigned advertised for proposals for repairing the sewer in Albany street, between Niagara street and the Erie Canal, and have received the following, to wit:

From James McGlinn, for the entire work.....	$289 00
" James Haraden, " "	290 00
" Henry Harter, Jr., " "	300 49

L. J. WATERS, Street Commissioner.

Referred to Committee on New Territory.

FURTHER FROM THE STREET COMMISSIONER.

Mr. Isaac Holloway asks for a payment to apply on contract for grading and paving Huron street, from the curb line on the westerly side of Morgan street to the New York Reservation line.

Amount of said contract.....	$1,151 06
Amount paid on the same is nothing.	
Amount of work done and not paid for.....	1,050 00
Amount proposed to be paid on the same is.....	900 00

And the undersigned recommend that orders be drawn on the local fund for said work in favor of said Holloway for the amount proposed.

L. J. WATERS, Street Com.

Filed and orders directed to be drawn.

FURTHER FROM THE STREET COMMISSIONER.

Mr. Isaac Holloway asks for a payment to apply on contract for grading and paving Niagara street, from the northerly line of Amherst street to the northerly line of Hamilton street.

Amount of said contract, $2,825 14.

Amount paid on the same, $1,200 00.

Amount of work already done and not paid for, $1,800 00.

Amount proposed to be paid at this date, $1,000 00.

And the undersigned recommend that orders be drawn on the local fund for said work in favor of said Holloway for said sum proposed.

L. J. WATERS, Street Commissioner.

Filed and orders directed to be drawn.

The Street Commissioner also reported the amount due to the keeper of the Court House Park, for services during the month of October. Filed and an order directed to be drawn.

Ald. Adams here appeared and took his seat.

FROM THE SUPERINTENDENT OF SCHOOLS.

In reply to the following resolution of your honorable body, passed at your last meeting:

"By Ald. Scheu, that the Superintendent of Schools be requested to report to the Council, in its next meeting, the average attendance of pupils at the Common School in the 11th District of the city of Buffalo, during each year since the first day of January, 1856, and also the gross amount of moneys paid for or on account of the maintenance of said school, including teachers salary, fuel, repairs and all necessary and incidental expenses of said school during each year since said 1st day of January, 1856. Adopted."

I have the honor to state that the gross amount of expenses of Public School No. 11, together with its attendance, has been as follows in each year:

Year.	Average Attendance.	Total do,	Total Cost,
1856	218	419	$2,475
1857	216	463	3,125
1858	239	505	3,027
1859	No report.		
1860	220	363	2,611 28

Owing to the imperfect character of previous reports, the year 1860 is the only one which fully complies with your resolution. The annual cost in previous years is that of teachers salaries only, while in 1860 all the items of expense are included.

SANFORD B. HUNT.
Superintendent of Schools.

Received and placed on file.

FURTHER FROM THE SUPERINTENDENT OF SCHOOLS.

Wesley Emmons herewith renders his bill for repairs on Public School building No. 6, to the amount of $298 47. I recommended this work, or rather one more considerably extensive, to you last Spring. Several tax payers of the district objecting to any expenditure which would occasion taxation, I consulted with them, agreeing on certain work as necessary, and the work was done by my order. I ordered it in the full belief that you had directed it in conjunction with the general repairs ordered in June last. On investigation I do not find that you took such action. As Mr. Emmons has acted in good faith and the repairs made were eminently necessary for the comfort and welfare of the school, I respectfully request your sanction of my order, and that you direct the usual reference of the bill for audit.

SANFORD B. HUNT, Sup't of Schools.

Referred to Committee on Schools.

FURTHER FROM THE SUPERINTENDENT OF SCHOOLS.

The large attendance at the Central School renders it very necessary that some of the room, not now available, should be made so. At present the main halls afford the only room for hanging articles of dress, and two hundred and eighty boys and girls are common tenants of the whole building. At an expense within the means of the School Fund for this year, one of the basement rooms may be fitted up as a girls' cloak room and reception room, and connected with the main hall by a staircase. A further change can be made for the better, by removing the furniture of the laboratory to the first floor, and thus giving an additional recitation room, which is very much needed.

I respectfully recommend that the Chairman of the School Committee and myself be authorized to cause such improvements to be made.

SANFORD B. HUNT, Sup't of Schools.

Referred to Committee on Schools,

FROM THE CITY ASSESSORS.

There will be required for the use of this office 1000 postage stamps for the month of November, for posting notices for local assessments. The undersigned therefore respectfully ask your honorable body to direct that an order be drawn for ten dollars for that purpose.

LORENZ GILLIG, Assessor.

Filed and an order directed to be drawn.

FROM THE RECEIVER OF TAXES.

I have purchased 2000 penny postage stamps, to prepay notices of local taxes, and for which I have paid twenty dollars, (20).

I respectfully ask that an order be drawn for that amount.

GORDON BAILEY,
For the Receiver of Taxes.

Filed and an order directed to be drawn.

FURTHER FROM THE RECEIVER OF TAXES.

On the 9th inst. there was received in this office sixty-one local tax rolls, and on the 15th inst. thirty-five rolls, and on the 28th inst. one roll, making in all ninety-seven local rolls received in this office since the 9th inst. On nine of the foregoing rolls are over 7,000 names, and which will require ($70) seventy dollars in one penny postage stamps, the balance of the rolls are many of them quite small, varying from one to twenty in number, and which will swell the number in the aggregate to from eight to ten thousand notices; and since the Assessors send a notice to each of the individuals named in the rolls, and the Receiver of Taxes is required by the Charter to advertise in the City paper five successive days after receiving them, that they can be paid in his office, I respectfully suggest the propriety of rescinding the resolution referred to in my communication of May 20th, 1861, (Minutes No. 19, page 192).

MICHAEL WIEDRICH, Receiver of Taxes,
Per G. BAILEY.

Referred to Committee on Finance.

FROM THE FIRE MARSHAL.

In accordance with a resolution to your honorable body, I have purchased from James Boyd & Sons, Boston, 900 feet of patent hose, at 90c per foot, amounting to

$180. I respectfully recommend that an order be drawn in my favor for $180, to be remitted to James Boyd & Sons.

D. KISSOCK, Fire Marshal.

Filed and order directed to be drawn.

FURTHER FROM THE FIRE MARSHAL.

By direction of Your Hon. Body, I contracted with Richard Exelby to build a hose cart, which has been delivered and accepted.

Price of hose cart, as per contract, $124, amount paid is nothing.

Respectfully recommend that an order for $100 be drawn in favor of Richard Exelby to apply on said contract.

D. KISSOCK, Fire Marshal.

Filed and order directed to be drawn as recommended, and the subject matter of the balance of such communication referred to the Committee on Fire.

The Chief of Police reported the amounts due the Captains of Police, Clerk and Policemen, for services during the month of October, amount $2,103 13.

Also the amounts due sundry persons for cleaning the several Police Stations, during same month, amount $30, and recommended that orders be drawn for the same. Filed and orders directed to be drawn.

The Clerk of the Markets reported the amounts due to the Porters of the Markets, for services during the month October. Filed, and orders directed to be drawn.

Ald. Allen, Mills, Wheeler and Yaw here appeared and took their seats.

The City Clerk reported that the following named assessment rolls had remained on file in his office more than ten days, since the first publication of a notice in the city paper, that the same were so filed, and that persons interested therein might file applications for the correction of the same, and that no such applicaions had been filed with him, viz:

No.	Amount ordered by Common Council.	Amount added by Assessors.	Total amount of Assessment.
2533—For making Downing street, from lots 264 and 265 to the Buffalo and White's Corners Plank Road	$174 17	$ 33	$174 50
2535—For repairing North Canal street, from Emslie street to Hagerman street	24 95	55	25 50
2536—For repairing Goodell street between Michigan and Mulberry streets	10 00	75	10 75
2537—For repairing bridge over a ravine on Clinton street, about 200 feet westerly from Buffalo and New York Central Rail Road, (between the Rail Road and Bond street)	49 77	2 23	52 00
2539—For repairing the bridge across a ravine on Mineral Spring street, about 50 rods northeasterly from the Aurora Plank Road	50 00	50	50 50
2540—For repairing and maintaining the public well and pump No. 150, located at the corner of Arkansas and North Adams streets	20 00	1 00	21 00
2541—For repairing and maintaining the public well and pump No. 46, located on Elm street, between Clinton and Batavia streets	20 00	1 00	21 00
2542—For repriring and maintaining the public well and pump, located at the corner of Niagara street and Auburn avenue	20 00	1 88	21 88
2543—For constructing a plank sidewalk on the northeast side of Fourteenth street, between Vermont and Rhode Island streets	25 92	0 50	26 42
2545—For repairing the sidewalk on the southerly side of Batavia street, between Jefferson and Spring streets	50 00	0 50	50 50
2546—For constructing a brick sewer in the center of Hickory street, from the sewer of Clinton street, northerly to a point 100 feet southerly from William streets	505 92	1 75	507 67
2547—For deepening the gutter on Main street, at the northwest corner of Main and Niagara streets	22 85	0 50	23 35
2548—For abating a nuisance on the ground fronting on the northerly side of Virginia street, being 67 feet front by 91¼ feet deep and commencing 100 feet easterly from Ninth street	21 50	0 50	22 00

The following communication from the City Attorney was received:

I hereby report that I have examined an abstract of your proceedings as to assessment rolls No. 2533, and No. 2535 to No. 2548, both inclusive, and am of the opinion that said proceedings have been regular—except as to roll No. 2538, —"for repairing and maintaining the two bridges across Evans' Ship Canal on Erie and Water streets."

I think that there should be a separate assessment for repairing and maintaining each bridge, and that you have no power to make one assessment comprising the aggregate of two or more separate improvements.

GEORGE WADSWORTH, City Attorney.

Received and placed on file.

Ald. Storck moved that the several rolls mentioned in the foregoing communication from the City Clerk be confirmed. Carried.

The City Clerk also reported that the following named assessment roll had remained on file in his office more than ten days since the first publication of a notice in the city paper, that the same was so filed and that E. Read had filed an application for the correction of the same, viz:

2544—For constructing sidewalk on the westerly side of Herman street, between Genesee street and North street—$36 50.

Ald. Adams moved that the time for the consideration of said roll, and the hearing of parties interested therein, be fixed for one week from to-day. Carried.

The City Clerk also reported that the following named assessment roll had remained on file in his office more than ten days since the first publication of a notice in the city paper, that the same was so filed and that S. W. Crittenden as agent for A. H. Ball, had filed an application for the correction of the said assessment, viz:

2538—For repairing and maintaining the two bridges across Evans' Ship Canal, on Erie and Water streets—$1,002.

Ald. Adams moved that the time for the consideration of, and the hearing of parties interested in said roll be fixed for three weeks from to-day. Carried.

The City Clerk laid before the Council the certificates of the Inspectors of Election of the First and Second Districts of the Eleventh Ward, of the result of the Special Election held in said ward on the fifth day of November, A. D., 1861, and a tabular statement of the result of said Special Election.

TABULAR STATEMENT of the result of the Special Election held in the Eleventh Ward of the city of Buffalo, on Tuesday the fifth day of November, in the year 1861, for the purpose of electing an Alderman in said Ward to fill vacancy.

VOTES FOR ALDERMAN TO FILL VACANCY.

	First Dist.	Second Dist.	Total.
Whole number of votes.....	113	392	505
Nelson K. Hopkins.....	88	218	306
Ransom H. Colburn.....	25	174	199

Ald. Adams moved that Nelson K. Hopkins having received the greatest number of votes, as appears from said tabular statement, be and he is hereby declared duly elected Alderman of the Eleventh Ward of the city of Buffalo. Carried.

The following canvass and determination was signed in duplicate by all the aldermen present

We, the Common Council of the City of Buffalo, in the county of Erie and State of New York, do hereby certify that the following is the result of the votes given in the Eleventh Ward of the said city of Buffalo for the office of of Alderman, to fill vacancy, at the Speciel Election, held in said Ward on the fifth day of November, in the year 1861, to wit:

That the whole number of votes given for the office of Alderman of the Eleventh Ward, to fill vacancy, was five hundred and five, of which Nelson H. Hopkins received three hundred and six votes, and Ransom H. Colburn received one hundred and ninety-nine votes, and the said Nelson H. Hopkins having received the greatest number of votes, is hereby declared duly elected Alderman of the Eleventh Ward of the city of Buffalo, to fill vacancy.

In witness whereof we have hereunto subscribed our names, at Buffalo, this eleventh day of November A. D 1861.

A. S. BEMIS, Pres't,
JAMES ADAMS,
ROBERT MILLS,
E. STORCK,
J. F. SWARTZ,
JOEL WHEELER,
L. P. DAYTON,
THOS. SAVAGE,
GEO. R. YAW,
EVERARD PALMER,
PATRICK WALSH,
JACOB CROWDER,
THOS. RUTTER,
NATHANIEL JONES,
ALEX. BRUSH,
ZADOCK G. ALLEN,
ANDREW GRASS,
JACOB SCHEU,
PAUL GOEMBEL,
CHAS. E FELTON.

Ald. Felton called for the reading of the returns of the Inspectors of Election for the Seventh Ward.

Ald. Adams moved as an amendment that the returns from the several Election Districts be read, commencing with the First Ward.

Ald. Allen objected to the reading of the said returns, for the reason that such returns were not properly in possession of this Council.

Ald. Felton moved that the City Clerk be directed to read so much of the returns of the Seventh Ward as relates to Alderman, to fill vacancy. Lost—Ayes 9; Noes 11.

Nelson K. Hopkins, Alderman elect of the Eleventh Ward, here appeared, and the oath of office was administered to him by the City Clerk.

PETITIONS.

Of Augustus Paul, to have local order paid.

Of Charles H. Rathbun, for declaration of sale on lot on the east side of Sixth street, south corner of Maryland street 66½ feet front by 132 feet deep. Referred to Committee on Finance.

Of sundry persons, to have sidewalk repaired on the southerly side of Georgia street, from a point 50 feet westerly from Fifth street, to a point 25 feet westerly. Referred to Committee on Side and Crosswalks.

Of Adam Rohner, for permission to erect a wooden addition to building on the west side of Elm street, between Tupper and Goodell streets.

Of James Boyd for permission to erect a wood shed on Niagara street near Jersey street.

Of Fillmore Engine Company, for the Exchange of their Engine for that of No. 2, laid up.

Of J. C. Clifford, for permission to remove a one story cottage from rear end of lot in rear of the North Presbyterian Church to the front of said lot, and add a shed thereto, ten by six feet. Referred to the Committee on Fire.

Of Alex. Goslin, to release J. Campbell from confinement in the Erie County Penitentiary. Referred to Committee on Police.

Of F. Sisto and others, to have lamp district extended and lamps set on North Canal street, between Swan street and the Catholic Church. Rejerred to Committee on pub lic lamps.

Of John W. Brooks, for license to peddle fresh meat.

Of Joha Hall & Co., for license to sell fresh meat at 218 North Division street. Referred to Committee on License.

Of J. W. Leech and others, to have nuisance abated at corner of Alabama and Carrol streets, consisting of a slaughter house. Referred to the City Surveyor and Committee on Sanitary Measures.

Of W. A. Bird. for abatement of interest on tax for Planking Roadway in Niag ara street. Referred to Committee on New Territory.

Of Conrad Sippell, for fireman's certificate. Referred to City Clerk with power.

Petition of H. S. Cunningham for the release of James Campbell from confinement in the Erie County Penitentiary.

Ald. Swartz moved that the prayer of the said petition be granted. Carried. Ayes 21; Noes 0.

Petition of William A. Sutten, for a seat in the Common Council as Alderman of the 7th Ward.

Ald. Felton called for the reading of said petition.

Ald. Adams moved that the same be referred to the Committee on Public Lamps.

Ald. Felton again called for the reading of the said petition.

Ald. Storck objected to the reading of the same.

The question was then taken on the call of Ald. Felton, to have said petition read and the same was lost. Ayes, 10; Noes, 12.

Ald. Adams then withdrew his motion.

Ald. Felton then offered the following:

WHEREAS, The seat of Frederfck M. Pratt, as Alderman from the 7th Ward, having become vacant by his removal from the city as under title 2, §3 of the charter; and

WHEREAS, at the late general election, William A. Sutton received a majority of the votes cast for Alderman, to fill vacancy, therefore

Resolved, That William A. Sutton be declared duiy elected as Alderman from the 7th Ward, to fill vacancy occassioned by the removal of F. M. Pratt from the city.

Ald. Felton moved the adoption of the above resolution.

Ald. Adams moved that the whole subject be referred to the Committee on Public Lamps.

Ald. Dayton moved as an amendment to refer to the Committee on Claims.

Ald. Storck moved that the whole subject be laid on the table. Carried. Ayes, 14; Noes, 8.

Ald. Dayton moved to reconsider the last vote taken.

Ald. Wheeler moved to lay the motion of Ald. Dayton on the table. Carried.

REMONSTRANCES.

Of W. P. Moores, against removing a wooden building on the east side of Pearl street, between Chippewa and Huron streets. Referred to Committee on Fire.

ACCOUNTS REFERRED.

James H. French, for services as teacher.

W. Emmons, for work and material for schools.

O. E. Sibley for repairs of clocks for schools.

Valentine Bibus, for sawing wood for schools.

Peter Burgard, for wood for schools.

Hersee and Timmerman for suundries for schools.

P. A. Balcomb, for rent of School House No. 15.

Adam Karns, for cleaning same.

Maurice Courtney, for setting glass in Superintendent's office. Referred to Committee on Schools.

Whitmore, Rathbone & Co., for repairing carriageway on Westerly side of Terrace.

John Erb, for cleaning paved streets, &c.

Nicholas Roth, for same.

Phillip Shan for same.

John Fisher, for same. Referred to Committee on Streets.

John Wannop, for repairing the sewer and reselver at the north-east corner of Huron and Delaware streets.

Same, for same at the northwest corner of Hudson and Ninth streets.

Same for repairing the sewer in sidewalk at the north-east corner of South Division and Pine streets. Referred to Committee on Sewers.

L. Williams for repairing sidewalk on the northerly side of South Division street, between Pine street and Public School lot No. 6.

S. W. Colle, for repairing sidewalk on the northerly side of Fulton street, between Chicago street and Ohio Basin Slip.

Same for repairing sidewalk on the northerly side of Fulton street, between Alabama and Hamburgh streets. Referred to Committee on Side and Crosswalks.

Newman & Scoville, (3 ac'ts,) for sundries for Fire Department.

D. B. Castle, for repairing clocks for same.

Dickey & Marsh, for feed for same.

Jacob Gerlack, for setting glass for same.

J. J. Leader, for shoeing horses for fire department.

Hersee & Timmerman, for repairing chairs for do.

M. Lash, for hay for Fire Department

Wm. Schulz, for same. Referred to Committee on Fire.

John Gisel, for repairing pump to well at corner of Genesee and Mortimer streets.

Same for repairing well and new pump, at corner of Goodell and Mulcerry streets.

Ernest C. Klein, for hydrant boxes. Referred to Committee on Water.

P. H. Bender for advertising for Street Commissioner.

Same for advertising works ordered by Council, &c.

Same, for advertising City Ordinances.

Same, for advertizing election notice.

W. B. Olver, (2 acc'ts,) for setting glass, city offices.

Michael McConnel, for wood for city offices.

Geo. F. Needhum, for Spittoon for Receiver of Taxes.

Queen City Ice Co., for Ice for City Buildings.

Nathan Lyman, for hand stamp for Treasurer.

John C. Jewett, (3 acc'ts,) for sundries for City Offices.

Valentine Brotz, for ballot boxes.

Hersee & Timmerman, for repairs on Mayor's Office.

Otis F. Presbrey, for disbursements for election.

John Rohr, for use of room for election purposes.

Jacob Wolf, for same.

John O. Hara, for same.

C. Paul Wertsch, for same.

Casper Schaefer, far same.

Geo. A. Albro, for services as Inspector of Election.

F. C. Schmelzer, for same,
Francis Smale, for same.
Amaza Graham, for same.
H. Conrter, for same.
Riley Saunders, for same.
John Druar, for same.
William Post, for same.
R. W. Ransom, for same.
George Whitcomb, for same.
Ernst Neitman, for same.
M. P. Wellman, for same.
Watkins Williams, for same.
G. W. McGray, for same.
Henry Tanner, Jr., for same.
David F. Day, for same,
Charles Wesher, Jr., for same.
Casper Hoffmeyer, for same.
Henry L. Scheafer, for same.
W. W. Stanard, for same.
H. A. Buffum, for same.
A. H. Thompson, for same.
J. A. Rathbone, for same.
John Cook, for same,
Samuel Haines, for same.
Albert H. Blossom, for same.
Hiram C. White, for same.
Nelson Vanderlip, for same.
Charles H. Emerick, for same.
C. C. Bristol, for same.
Truman H. Warner, for same.
W. F. Beamer, for same.
H. S. Cunningham, for same.
C. Bronner, Jr., for same.
George W. Vining, for same.
John Stengel, for same.
John Flemming, for same.
W. H. Smith, for same.
Jacob Weil, for same.
Benjamin Vomberge, for same.
Robert W. Voaz, for same.
John E. Altenburg, for same.
Thomas M. Knight, for same.
Charles J. Hubbard, for same.
Peter Frank, for same.
D. M. Enright, for same.
John Mischo, for same.
J. L. Schmidt, for same.
Henry J. Warren, for same.
Phillip Pfeil, for same.
J. D. G. Stevenson, for same.
Phillip Scheu, for same.
Jacob Faber, for same.
L. F. Bissell, for same.
Jacob Williams, for same.
L. P. Adolf, for same.
Michael Carroll, for same.
Lyman B. Smith, for same.
Peter Keena, Jr., for same.
G. F. Pfeifer, for same.
P. H. Wagner, for same.
Hugh Webster, for same.
Henry E. Allen, for same.
F. S. Ellis, for same.
H. L. Vanderlip, for same.
Geo. W. Scott, for same.
Joseph Zoog, for same.
John J. Leibler, for same.
Thomas Edmonds, for same.
Otis B. Howe, for same.
Wm. F. Robinson, for same.
Lyman D. Dodge, for services as Poll Clerk.
E. R. Harrington, for same.
Wm. H. Livingston, for same.
Wm. Holly, for same.
J. P. Loersch, for same.
M. T. Humphrey, for same.
Henry A. Safford, for same.
Chauncey Jamieson, for same.
Peter Recktenwaif, for same.
H. B. McCulloch, for same.
John R. Walters, for same.
C. B. Woodward, for same.
James Inglis, for same.
Richard Morgan, for same.
John E. Hart, for same.
W. C. Zimmerman, for same.
Albert Hosmer, for same.
O. J. Sweegles, for same.
E. B. Allen, for same.
H. S. Ross, for same.
C. L. Lockwood, for same.
G. Keppler, for same.
Peter Britz, Jr., for same.
A. F. Spanfield, for same.
F. D. Todrig, for same.
P. D. K. Saunders, for same.
C. Meisel, for same.
Wm. A. Barnes, for same.
Alonzo T. Bailey, for same.
John Mather, for same.
Robert Bourgoutschky, for same.
Thomas W. Flemming, for same.
Jonn Masters, for same.
E. O. Salisbury, for same.
John Fogerty, for same.
Delbold Walter, for same.

Thomas J. Edmonds, for same. Referred to Committee on Claims.

Dr. T. M. Johnson, for medical attendance at Police Station, No. 2.

Holly Allen, for tubs for Police Stations.

B. Toles, (2) for commitments to Penitentiary.

Dan. B. Castle, for repairing clocks at office of chief of Police. Referred to Committee on Police.

Newman & Scoville, for halliards for Liberty Pole. Referred to Committee on Public Grounds.

W. Farmer, Jr., for repairing wood culvert across Blossom street on the easterly side of the Military Road.

Same, for repairing wood culvert across East street, on the southeasterly side of Austin Street.

Same, for constructing a wood culvert across Bird street, on the easterly side of the Military Road

Leonard Crocker, for superintending repairs on the Breakwater, along the shore of Lake Erie.

Wm. A. Bird, for repairing Niagara street, from the center of Bird street to Cornelius Creek. Referred to the Committee on New Territory.

Samuel Green, for services as keeper of the Parks on Prospect Hill, in Oct. 1861. Referred to Special Committee on Prospect Hill Parks.

ACCOUNTS ALLOWED.

William Mensch, for removing dirt, ashes, &c., from the paved streets and alleys for the month of October, 1861—$266 67.

John B. Sewell, for services as Street Inspector for Oct. —$33 75.

John Drexler, for same—$33 75.

Jacob Sohm, for same—$33 75.

F. C. Schmelzer, for same—$33 75.

Chas. Broshart, for same—$33 75.

REPORTS OF COMMITTEES.

Ald. Wheeler, from the Committee on Schools, reported in favor of the adoption of the following resolutions:

That an order be drawn in favor of Martin Scheu for $8, on the School Fund of 1861, in full for services as Janitor of the Central School, during the month of January, 1861. Adopted.

That the Comptroller be and he is hereby directed to transfer from the School Fund Library Department for the years 1856, 1857 and 1858 the balance remaining in such funds to the credit of the School Fund Library Department for the year 1859. Adopted.

Also, in favor of allowing the following accounts, and of drawing orders for same:

Wesley Emmons, for labor and materials for sundry schools, charged at $120 58, allowed at..$118 68

Clapp, Matthews & Waite, for printing School ordinances, etc , etc..... 129 75

P. H. Bender, for advertising for Superintendent of Schools..... 2 86

—Adopted.

Ald. Brush, from the Committee on Sewers, reported in favor of the adoption of the following resolutions:

That it is hereby ordered that a brick sewer be constructed, two feet diameter in the clear, with walls eight inches thick, in the centre of Delaware Place, from the sewer in the centre of Virginia street easterly to a point 100 feet westerly from Delaware street, and that the Street Commissioner is hereby directed to advertise six days in the City paper for proposals for constructing said sewer, and report said proposals to this Council. Adopted—Ayes 21; Noes 0.

That the City Surveyor is hereby directed to report the length and depth of excavation necessary for a sewer in Edward street, between Delaware and Virginia streets: also what length of sewer that is necessary to construct in Delaware street, to connect with said proposed sewer in Edward street; also the points of commencement and termination of the same, in accordance with the above named petition, now in possession of the Committee on Sewers. Adopted.

Ald Swartz, from the Committee on Side and Cross Walks, reported in favor of the adoption of the following resolutions.

That the owners of land on the southerly side of Perry street, between Hamburgh and Red Jacket streets, cause a sidewalk to be repaired in front of their respective lots, four feet wide, by substituting new hemlock plank, three inches thick, where necessary, within five days, and if not done in that time, that the Street Commissioner cause the same to be done, at an expense not exceeding sixty-two dollars, and report. Adopted.

That the owners of land on the northerly side of Carlton street, between Locust and Lemon streets, cause a sidewalk to be constructed in front of their respective lots, four feet wide, of good hemlock plank, three inches thick, within five days, and if not done within that time that the Street Commissioner cause the same to be done, at an expense not exceeding forty dollars, and report. Adopted.

That the owners of land on the northwest side of Hudson street, between Fifth and Sixth streets, cause a sidewalk to be repaired in front of their respective lots, four feet wide, by laying the same on an even and uniform grade, and substituting new hemlock plank, three inches thick, where necessary, within five days, and if not done in that time that the Street Commissioner cause the same to be done, at an expense not exceeding fifty dollars, and report. Adopted.

That the owners of land on the westerly side of Hamburgh street, between Perry street and the bridge crossing the ditch at the head of the Main and Hamburgh Canal, cause a sidewalk to be repaired in front of their respective lots, by substituting good new hemlock plank, three inches thick, where necessary, within five days, and if not done within that time that the Street Commissioner cause the same to be done, at an expense not exceeding forty dollars, and report. Adopted.

That the Street Commissioner cause a stone crosswalk, with the necessary platforms, to be constructed across Ninth street, on the northerly side of Huron street, at an expense not exceeding one hundred dollars, and report. Adopted.

That the owners of the land on the westerly side of Hamburgh street, between Fulton and Elk streets, cause a sidewalk to be repaired in front of their respective lots, by substituting a good new hemlock plank, 3 inches thick, where necessary, within five days, and if not done within that time, that the Street Commissioner cause the same to be done, at an expense not exceeding five dollars, and report. Adopted.

That the owners of the land on the westerly side of Locust street, between High and Carlton streets, cause a sidewalk to be repaired in front of their respective lots, four feet wide, by substituting good new hemlock plank, three inches thick, where necessary, within five days, and if not done within that time that the Street Commissioner cause the same to be done, at an expense not exceeding thirty dollars, and report. Adopted.

Ald. Palmer was excused from further attendance.

Ald. Allen was called to the Chair.

That the owners of the land on the southerly side of Chicago street, between Miami and Ohio streets, cause a sidewalk to be repaired in front of their respective lots, 4 feet wide, by substituting new hemlock plank where necessary, within five days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not to exceed $20, and report. Adopted.

That the owners of the land on the westerly side of Boston alley, between Oak and Tupper streets, cause a sidewalk to be repaired in front of their respective lots, 3 feet wide, by substituting good new hemlock plank where

necessary, within five days, and if not done within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $40, and report. Adopted.

That the Street Commissioner cause a crosswalk across Goodell alley, on the south side of Goodell street, to be constructed, four feet wide, of good hemlock plank, 3 inches thick, at an expense not to exceed $7, and report. Adopted.

That the Street Commissioner cause a crosswalk across Goodell alley, on the south side of Goodell street, to be reconstructed, 4 feet wide, of good hemlock plank, 3 inches thick, at an expense not to exceed $4, and report. Adopted.

That the Street Commissioner cause a crosswalk across High street, on the west side of Locust street, to be constructed at an expense not to exceed $8 00, and report. Adopted.

That the Street Commissioner cause the plank crosswalk across Alabama street on the northerly side of Fulton street to be reconstructed, at an expense not to exceed $8, and report. Adopted.

That the owner of the land on the westerly side of Locust street, between Carlton street and a point 100 feet southerly from High street, cause a sidewalk to be repaired in front of their respective lots by substituting good new hemlock plank three inches thick within 5 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $80, and report. Adopted.

That the owners of land on the northerly side of Genesee street, between Washington and Ellicott street, cause a sidewalk to be repaired in front of their respective lots by substituting new material where necessary within 5 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $20, and report. Adopted.

That the petition of Philip Weber and others, asking for the repairs of a sidewalk on the west side of Ellicott street, and for the construction of a sidewalk on the east side of Ellicott street, between Tupper and Goodell streets, be denied. Adopted.

That the City Assessors assess $8 for constructing a plank crosswalk across South Division street, on the wessterly side of Jefferson street. Adopted.

That the owners of the land on the westerly side of Hamburgh street, between South street and the New York and Erie Railroad track, cause a sidewalk to be repaired in front of their respective lots by filling and substituting good new hemlock plank three inches thick, where necessary, within five days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $100, and report. Adopted. Ayes, 19; Noes, 0.

That the owners of the land on the westerly side of Hamburg street, between Mackinaw and Sandusky streets, cause a sidewalk to be repaired in front of their respective lots by filling and substituting new hemlock plank three inches thick, where necessary, within five days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding one hundred dollars, and report. Adopted. Ayes, 18; Noes, 0

That the owners of the land on the westerly side of Hamburg street, between Sandusky street and the New York and Erie Railroad track, cause a sidewalk to be repaired in front of their respective lots by filling and substituting new hemlock plank three inches thick, where necessary, within five days, and if not done within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $100, and report. Adopted. Ayes, 18; Noes, 0.

That the owners of land on the westerly side of Grosvenor street, between South Division and North Division streets, cause a side walk to be repaired in front of their respective lots, 3 feet wide, by substituting new hemlock plank, 3 inches thick, where necessary, within 5 days, and if not done within that time that the Street Commissioner cause the same to be done at an expense not exceeding $30, and report; and that the resolution ordering side walk repaired on the easterly side of Grosvenor street, between North and South Division streets, passed Sept. 28d, 1861, be rescinded. Adopted. Ayes, 18; Noes, 0.

Ald. Yaw, from the Committee on Fire, reported in favor of the adoption of the following resolutions:

That the petition of Frederick Lange, asking payment for damage sustained at the fire on the 18th of last August, be and the same is hereby denied, and that said Lange have leave to withdraw his petition. Adopted.

That the name of Rescue Hook and Ladder No. 2, be and the same is hereby changed to Rescue Hook and Ladder Co., No. 1. Adopted.

Also in favor of allowing the following accounts and of drawing orders for same:

C. G. Mathews, for repairing hose—$5 50.

George Peugeot, for lanterns—$1 00. Adopted.

Also in favor of the adoption of the following resolution:

That the Fire Marshal be authorized to procure a desk and table for the use of the Fire Commissioners at an expense not to exceed $30, and report. Adopted.

Ald. Dayton, from the Committee on Claims, reported in favor of allowing the following account, and of drawing an order for same.

P. H. Bender, for advertising for Assessors—$64 68. Adopted.

Ald. Mills, from the Committee on Police, reported in favor of the adoption of the following resolution:

That the Chief of Police be authorized to procure such coal stoves as he may need for the several Police Stations, also one dozen iron-bound buckets for use of same.—Adopted.

Also in favor of allowing the following accounts, and of drawing orders for same:

D. S. Reynolds, for Commitments t Penitentiary—$17 63

G. B. Mitchell, for same—$19 88. Adopted.

Ald. Adams, from the Committee on Public Lamps, reported in favor of allowing the following account, and of drawing an order for same:

Buffalo Gas Light Company, for Gas Public Lamps for the month of October—$2,905 91. Adopted.

Ald. Crowder, from the Committee on New Territory, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause the Bridge across Smith street, on the northerly side of the Abbott Road, to be repaired at an expense not exceeding $7, and report. Adopted.

That the Street Commissioner cause the Bridge across a ravine on the Williamsville Road, about 200 feet southerly from Clinton street, to be re-constructed at an expense not exceeding $50, and report. Adopted.

That the Street Commissioner cause the Bridge across a ravine on Mineral Spring street, about 50 rods north-east from the Aurora Plank Road, to be repaired at an expense not exceeding $39, and report. Adopted.

That the Street Commissioner cause the Bridge on the Williamsville Road, between William street and the New York Central Railroad, to be repaired at an expense not exceeding $28, and report. Adopted.

That it is hereby ordered that a wood bridge with stone abutments be constructed across Cazenovia Creek on Cazenovia street (Road.) Adopted. Ayes, 19; Noes, 0.

That, when an assessment shall be confirmed to defray the expenses, the Street Commissioner is hereby authorized and directed to contract with James McGlinn for constructing a wood bridge with stone abutments across Cazenovia Creek on Cazenovia street, in accordance with the plan and specifications for doing the same, the sum not exceeding $1,388 93. Adopted.

That the City Assessors assess $1,388 93 for constructing a wood bridge with stone abutments across Cazenovia creek on Cazenovia road or street. Adopted.

That the Street Commissioner cause Elk street to be repaired by filling holes with stone chips and cinders about 400 feet easterly from Smith street, at an expense not exceeding $11, and report. Adopted.

That the Street Commissioner cause Ontario street to be repaired by opening gutter and filling holes, between Niagara street and the city line, at an expense not exceeding $25, and report. Adopted.

That the City Assessors assess $22 88, for repairing the sidewalk on the easterly side of North Washington street, between Bouck and Bird Avenues. Adopted.

That Forest Avenue be repaired from Niagara street to the east line of North Washington street, by opening the gutters and placing cinders on the carriageway, at an expense not to exceed $50, and the Street Commissioner is hereby authorized to cause same to be done, and report. Adopted.

That North Washington street be repaired from Forest Avenue to Scajaquada Creek, by opening the gutters and placing cinders on the carriageway, at an expense not to exceed $50, and the Street Commissioner is authorized to cause same to be done, and report. Adopted.

That the owners of land on the west side of Niagara street, between Hamilton and Austin streets, cause the sidewalk to be repaired in front of their respective lots, 4 feet wide, by substituting new pine plank, two inches thick, where necessary, within ten days, and if not done in that time, that the Street Commissioner cause same to be done, at an expense not to exceed $40, and report. Adopted.

That the owners of land on the west side of Niagara street, between Amherst and Hamilton streets, cause a sidewalk to be constructed in front of their respective lots, four feet wide, of good pine plank, two inches thick, within ten days, and if not done in that time that the Street Commissioner cause same to be done, at an expense not to exceed $80, and report. Adopted.

That the owners of the land on the east side of Niagara street, between Amherst and Hamilton streets, cause the sidewalk to be repaired in front of their respective lots, four feet wide, by substituting new pine plank, two inches thick, where necessary, within ten days, and if not done in that time, that the Street Commissioner couse same to be done, at an expense not to exceed $30, and report. Adopted.

That the amount of expenses to be assessed for improving and maintaining the two public squares in the Twelfth Ward of the city of Buffalo, viz: Porter Square fronting on the easterly side of Niagara street, commencing at the southerly corner of Parish street and Market Square, fronting on the easterly side of Niagara street and both sides of Amherst street, be and is hereby determined to be two thousand, four hundred and seventy-one dollars, that is to say for improving and maintaining said Porter Square, the sum of one thousand seven hundred and seventy-one dollars, and for improving and maintaining said Market Square, the sum of seven hundred dollars, and that the City Assessors be and they are hereby directed to make an assessment of the said sum of $2,471 00, upon the blocks adjoining said squares and the district surrounding said squares, the boundaries of which shall be the boundary lines of the territory known as the Parish Mile Square or Tract, so-called, as provided by section 34, of title 12, of the revised city charter.—Adopted. Ayes, 20; Noes, 0.

Ald. Adams moved that the Council do now adjourn. Carried.

The Common Council then adjourned to meet next Monday after noon, November 18th, 1861, at two o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 40.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Nov. 18, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council; and Ald. Adams, Allen, Beckwith, Crowder, Dayton, Felton, Goembel, Grass, Hannovan, Hopkins, Jones, Palmer, Pratt, Russell, Rutter, Savage, Scheu, Storck, Swartz, Wheeler and Yaw.

Absent—Ald. Brush, Dorr, Mills, and Walsh.

Ald. Dayton objected to Frederick M. Pratt taking his seat as an Alderman of the 7th Ward, on the ground that said Pratt had removed from the Ward.

The Chair held that the objection raised by Ald. Dayton was not well taken, for the reason the Common Council had no knowledge of the removal of Mr. Pratt from said Ward.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM HIS HONOR THE MAYOR

MAYOR'S OFFICE,
Buffalo, Nov. 18, 1861.

To the Hon. Common Council:

GENTLEMEN—I herewith nominate the persons below named to be Policemen and Police Constables, as they are respectively designated:

William Jordan, Policeman, in place of Patrick McKernan, resigned.

Cyrenius C. Harris, Policeman, in place of Sherman B. Burns, resigned.

John Marks, Policeman, in place of Peter Beiber, resigned.

Hugh Battell, Policeman, in place of Joshua Cole, resigned.

Richard J. Patchin, Policeman, in place of Mathew Schuh, resigned.

August Richter, Policeman, in place of George Denny, whose term of office has expired.

George Orr, Police Constable, in place of Jacob Bloom, resigned.

Sherman B. Burus, Police Constable, in place of Jacob Emerick, resigned.

Respectfully, F. A. ALBERGER, MAYOR.

Ald. Adams moved that said communication be received and placed on file, and that this Council consent to the several appointments therein contained.

Ald. Felton moved as an amendment that said communication be referred to the Committee on Police.

Ald. Dayton raised the point of order that Frederick M. Pratt was not a member of this Council and had not the right to vote on the pending question.

The President decided that the point of order was not well taken.

The motion of Ald. Felton was then lost. Ayes, 9; Noes, 13.

The question being on the motion of Ald. Adams, Ald. Beckwith called for a division of the same. Granted.

The question was then taken on the first proposition embraced in said motion, to wit: that said communication be received and placed on file, and the same was carried.

The question then being on the remaining proposition of the motion of Ald, Adams, viz: that the consent of this Council is hereby given to the appointment of the several Police Constables and Policemen named in the foregoing communication from the Mayor.

Ald. Beckwith moved to lay the same on the table. Lost. Ayes, 9; Noes, 13.

Ald. Dayton objected to Frederick M. Pratts voting on the question before the house, on the ground that Mr. Pratt was not a member of the Council.

The Chair decided the point of order not well taken.

The question then being taken on the last proposition embraced in the motion of Ald. Adams, viz: that the consent of this Council is hereby given to the appointment of the several Police Constables and Policemen named in the foregoing communication from his Honor the Mayor, and the same was carried. Ayes, 13; Noes, 8.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

GENTLEMEN: On the 1st proximo the fellowing named sums will be required to pay interest on city bonds falling due on that day in the city of New York, viz:

On $15,000 6 per cent. bonds issued June 1, 1852.	$450 00
On $10,000 6 per cent. bonds issued Dec. 1, 1853.	300 00
On $33,000 6 per cent. bonds issued Dec. 1, 1854.	990 00
On $18,000 6 per cent. bonds issued June 1, 1859.	540 00
Commission to Duncan, Sherman & Co. ¼ per ct.	5 70
Premium on draft ½ per cent	11 43
Total	$2,297 13

I recommend that an order be drawn in my favor payable out of the General Fund, 1861, estimate for the payment of interest on the funded debt, with which to pay such interest, order for $2,297 13.

ALONZO TANNER, Comptroller.

Ald. Adams moved that such communication be received and placed on file, and that an order be drawn as recommended. Carried.

FROM THE CITY ATTORNEY.

I hereby report that the action brought by James O'Brian against the city to recover rent for building on Carroll street, formerly occupied by the Fire Department, was tried on Thursday and Friday of last week before Justice Clinton and a jury, and decided in favor of the city.

GEORGE WADSWORTH, City Attorney.

Received and placed on file.

FROM THE STREET COMMISSIONER.

The undersigned reports the following named works completed and repairs made, at the expense severally as hereinafter specified :

ON STREETS.

Staats street repaired in front of Niagara Market Grounds—$4 00.

Cedar street repaired, between the southerly curb line of Batavia street and a point 300 feet southerly therefrom—$9 87.

Platform stone placed over the gutter on the southerly side of Huron street, at the easterly corner of Ellicott street—$14 99.

Connecticut street repaired, between Eleventh and Thirteenth streets—$20 00.

The carriageway repaired, on the westerly side of the Terrace, from the crosswalk on the southerly side of Court street, to a point 100 feet southerly therefrom—$65 00.

Wood culvert repaired across Jersey street, on the northeasterly side of Eleventh street—$4 25.

Carroll street repaired, between Louisiana and Alabama streets—$20 00.

Wood culvert across Palmer street, on the northerly side of Virginia street—$7 81.

Referred to Committee on Streets.

ON SEWERS AND RECEIVERS.

Sewer and receiver repaired at the northeast corner of Huron and Delaware streets—$12 06.

Sewer and receiver repaired at the northwest corner of Hudson and Ninth streets—$14 44.

Sewer repaired in the sidewalk on the easterly side of Pine street, passing the public well at the northeast corner of South Division and Pine streets—$9 99.

Sewer repaired in Court street, 50 feet easterly from the Erie Canal—$2 13. Referred to Committee on Sewers.

ON SIDE AND CROSSWALKS.

Crosswalk repaired across Spring street, on the southerly side of William street—$7 06.

Cross walk repaired across Madison street, on the southerly side of William street—$7 15.

Sidewalk repaired on the northerly side of Fulton street, between Alabama and Hamburgh streets—$19 20.

Sidewalk repaired on the northerly side of South Division street, between Pine street and the east line of school lot No. 6.—$4 16.

Sidewalk repaired on the northwesterly side of Maryland street, between Sixth and Seventh streets—$14 52 Referred to Committee on Side and Cross Walk.

IN THE NEW TERRITORY.

Wood culvert across Eleventh street, on the south-east side of Massachusetts street—$7 54.

Wood culvert repaired across East street, on the southeasterly side of Austin street—$5 79.

Wood culvert repaired across Blossom street, on the easterly side of the Military Road—$4 91.

Wood culvert constructed across Bird street, on the easterly side of the Military Road—$6 96.

Ontario street, between Niagara street and the City Line—$21.

Crosswalk repaired across Massachusetts street, on the north-east side of Tenth street—$7 04.

Fifth street repaired, between York and Connecticut streets—$72.

Culvert repaired across Massachusetts street, on the south-west side of Ferry street—$8.

Cvlvert repaired across School street, on the southwesterly side of Ninth street—$4 09.

Bridge repaired across a ravine on Mineral Spring st., 50 rods north-east from the Aurora Plank Road—$38 56.

Bridge repaired across Smith street, on the northerly side of the Abbott Road—$6 57.

Bridge repaired on the Williamsville Road, between William street and the N. York Central Railroad—$27 95.

Bridge reconstructed across Cazenovia creek, on the White's Corners pland road—$98 64.

Culvert repaired across Vermont street, on the westerly side of Thirteenth street—$8.

Culvert repaired across North Washington street, on the southeast side of Ferry street—$5 73.

Culvert repaired across Niagara street, on the westerly side of Ontario street—$9 85.

Amherst street repaired between the State ditch and Howell street—$22 50.

Clinton street repaired, between the Buffalo & New York City Railroad and the Williamsville road—$49 66.

L. J. WATERS, Street Commissioner.

Referred to Committee on New Territory.

FROM THE CITY SURVEYOR.

In compliance with your order of November 11th, I submit herewith a grade and profile for a sewer in Edward street :

Commencing in the centre of Edward street at a point 453½ feet west of Delaware street at an elevation of 40 20 feet above the base line of levels, thence easterly along the center line of Edward street, falling 0.30 feet per 100 feet for a distance of 503 feet, to the centre of Delaware street, thence continuing on the same grade southerly along the centre of Delaware street a distance of 97 feet to the term nation of the present sewer in Delaware street, at an elevation of 38.40 above the base line of levels. The total length of the sewer is 600 feet, the average depth of excavation is 9 feet.

The above profile that I have reported secures to the petitioners the drainage that is so necessary for their property at much less expense, than if the sewer were taken into the Virginia street sewer.

PETER EMSLIE,
City Surveyor.

Referred to the Committee on Sewers.

FROM THE SUPERINTENDENT OF SCHOOLS.

No action has been taknn, during the current year, upon the salaries of the teachers in the public schools. On the 31st of March, 1860, the Common Council fixed

the salaries for the year ending with the first Monday in May, 1861, and nothing has since been done upon the subject.

I respectfully suggest that your honorable body should fix the salaries for the year 1862, and take such action as may be necessary to legalize contracts for that period.

SANFORD B. HUNT.
Superintendent of Schools.

Received and placed on file.

Whereupon Ald. Wheeler offered the following:

Resolved, That the salaries of the teachers in the Public Schools, for the year one thousand eight hundred and sixty-two, be and the same are hereby fixed as follows:

Principles of graded schools, except Nos. 9 and 33, per annum	$800
Principals of schools Nos. 9 and 33	600
Principals of schools of one department	325
Principals of departments in graded schools	325
Assistants in departments	250
Principal of Central School	1000
Assistant Principal of Central School	800
Male Assistants in Central School, not more than	500
Lady Assistants in Central School	350

Provided, however, that when inexperienced teachers are appointed assistants in graded schools, they shall be appointed at a salary of $200, for the first year; which salary shall be raised $25 each year until it shall reach the maximum salary paid to assistants.

Resolved, That the Superintendent of Schools be and he is hereby authorized and directed to employ and contract with a sufficient number of suitable teachers, at the salaries and for the time above mentioned. Adopted.

The Treasurer reported the amount due to the clerk employed in his office for services during the month of October. Filed and order directed to be drawn.

The City Assessors reported the amount due to the clerk employed in their office for services during the month of October. Filed and order directed to be drawn.

Assessment roll No. 2544—For constructing a sidewalk on the westerly side of Herman street, between Genesee and North streets, the time for the consideration of which had been fixed for to-day was taken up, and an opportunity given to parties interested to be heard, and no person appearing to object to the confirmation of said roll.

Ald. Swartz moved that the said roll be confirmed. Carried.

Assessment roll No. 2398—For widening, straightening and enlarging Buffalo Creek at the toll bridge on Ohio street, by excavating a channel on the northerly side of said creek, laid on the table at a meeting held October 14th, 1861, was on motion of Ald. Palmer taken up.

Ald. Palmer moved that the time for the consideration of said roll, and the hearing of parties interested therein be fixed for three weeks from to-day. Carried.

The following communication was received.

To the Hon. the Common Council of the City of Buffalo:

The undersigned respectfully represents that your communication to the Board of Supervisors, of Oct. 7th in relation to the fines collected by the Superintendent of the Workhouse of the County of Erie, Was referred to the City Committee; that on the 23d of October said committee reported in favor of directing the Superintendent to pay over certain fines to the City Treasurer; that the consideration of said report was postponed to Nov. 20, at 10 A. M. The whole amount of fines received by the Superintendent is as follows:

For the year 1855	$3,060 41
" " 1856	2,318 31
" " 1857	1,920 55
" " 1858	1,269 60
" " 1859	1,427 40
" " 1860	1,239 21
" " 1861	1,952 70

In the year 1855 there was credited to the city of Buffalo $2,173 41, since which time I do not find that any portion of the above fines have been credited to the City of Buffalo.

I suggest that some one be directed to ascertain the facts and represent the City before the Board, on consideration of said resolution on the 20th inst.

L. K. HADDOCK,
Supervisor Fourth Ward.

Ald. Adams moved that such communication be referred to the Chairman of the Committee on Finance, Comptroller and City Attorney, with instructions to appear before the Board of Supervisors on the 20th instant, and ask, demand, and receive the moneys due from the County for fines collected from persons sent to the Erie County Penitentiary. Carried.

The President appointed Ald. Hopkins as Chairman of the Committee on Finances, and also to fill the vacancies occasioned by the resignation of Ald. Howard.

PETITIONS.

Of sundry persons, to have High street, between Locust and Mulberry streets, repaired. Referred to Committee on Streets.

Of Peter J. Ripont, Fire Warden, That the Firemen's Benevolent Association be authorized to prosecute in the name of the city, Messrs. Vandenburgh & Chard, for violation of the ordinances in relation to gun-powder.

Of Henry Murray, for permission to build a barn, 20 by 25 feet, in rear of lot No. 264 Seneca street. Referred to the Committee on Fire.

Of John Coatsworth, for payment for work done in abating a nuisance. Referred to the Oommittee on Sanitary Measures.

Of Chase & Bird, and others, that orders may be issued to cancel roll for planking Niagara street, from Bird street to Cornelius Creek. Referred to Committee on New Territory.

Of Edward Keller, for Fireman's certificate. Referred to the City Clerk with power.

Petition of Capt. John F. Tanner, for the release of John Conory from confinement in the Erie County Penitentiary.

Ald. Yaw moved that the prayer of said petition be granted. Carried. Ayes, 22; Noes, 0.

Petition of Capt. M. Baily, for the release of Barnard Smith from confinement in the Erie County Penitentiary.

Ald. Hanovan moved that the prayer of the petition be granted. Carried. Ayes, 22; Noes, 0.

Petition of A. Gibbs, for permission to build a second story to his wood house on lot 191 Delaware street, 10 by 20 feet.

Ald. Swartz moved that the prayer of the said petition be granted, under the direction of the Fire Marshal, and ubject to the further order of the Council. Carried. Ayes, 22; Noes, 0.

Petition of Frances Clark, for remission of fine paid by her for her son.

Ald. Beckwith moved that the prayer of the petition be granted and that the City Clerk be directed to draw an order for $5 on the General Fund, 1861, City Attorney and Legal Expense Department, in favor of Frances Clark as a remission of said fine. Carried. Ayes, 20; Noes, 1.

ACCOUNTS REFERRED.

W. Emmons, for work and material at sundry schools.
Louis Baker, for brooms for schools.
John Regar, for cleaning school house No. 15.
Elizabeth Stucky. " " No. 12.
Ellen Hill, " " No: 18.
Referred to Committee on Schools.

Isaac Holloway, for grading and paving Huron street, from the curb line on the west side of Morgan street to the New York reservation line.

Same, for repairing Washington street, between Seneca and Swan streets.

Lewis Kirkover, for repairing Clinton street, between the Buffalo & N. Y. City Railroad, and the Williamsville road.

A. D. Morton, for repairing Carroll street, between Louisiana and Alabama streets.

W. I. Williams, for repairing wood culvert across Palmer street, on the northerly side of Virginia street.

Referred to Committee on Streets.

O. Butler, for repairing main sewer in Court street, 50 feet easterly from Erie Canal.

Referred to Committee on Sewers.

Isaac Holloway, for constructing crosswalk across Ninth street, on the northerly side Huron street.

W. I. Williams, for repairing sidewalk on the north westerly side of Maryland street, between Sixth and Seventh streets.

Referred to Committee on Side and Cross Walks.

D. Kissock, for disbursements for Fire Department.
Farnham & Hodge, for coal " "
David Salters, for wood " "
Referred to Committee on Fire.

Geo. P. Stevenson & Co., for livery for election purposes.

R. Wheeler & Co , for printing election notice.
Hamlin & Mendsen, for mat for Treasurer's office.
O. F. Presbrey, for expense of copying records of death.
Geo. Dakin, for coal for city offices.
Clapp, Mathews & Waite, for printing city ordinances
P. H. Bender, for publishing Council proceedings.
Bangasser Bros, for use of Lamps,
E. W. Palmer, for services as Inspector of Election.
C. H. Ohlmer, for same.
Joseph Herman, for same.
John B. Storck, for same.
R. Wheeler, for same.
D. H. Wiswell, for same.
Casper Retel, for same.
Geo. F. Monnier, for same,
Amos Morgan, for same.
Valentine Young, for same.
C. Benzenger, for same.
Wm. H. Blodgett, for same.
Benjamin H. Williams, for same.
William Boggis, for same.
M. Beck, for same.
John McManus, for same.
Samuel Ely, for same.
Wm. Hodge, for same.
N. Hagerman, for same.
John W. Kenney, for same.
P. G. Lorenz, for services as Poll Clerk.
H. A. Bettis, for same.
W. K. Dow, for same.
George F. Heywood, for same.
James Peacock, for same.
C. Stockman, for same.
A. P. Williams, for same.
J. O. Meyer, for same.
J. D. Lonergan, for same.
G. H. Gregg, for same.
Samuel Ely, Jr., for same.
J. P. Einsfeld, for same.
J. A. Barton, for same.
P. J. Watts, for same.
Martin Frank, for use of room for election purposes.
Henry Jackson, for same.
Mrs. Friedman, for same.
Peter Weller, for same.
C. Hussong, for same. Referred to Committee on Claims.

J. Van Valkenburgh, for commitments.

C. Bull, for coal for Police Department. Referred to Committee on Police.

Louis Baker, for brooms for Markets. Referred to Committee on Markets.

Buffalo Gas Light Company, for lamps set. Referred to Committee on Public Lamps.

E. F. Blackmond, for repairing culvert across Vermont street, on westerly side of Thirteenth street.

Same, for repairing culvert across North Washington street, on southeast side of Ferry street.

Same, for repairing culvert across School street, on southwesterly side of Ninth street.

Same, for repairing culvert across Massachusetts street, on southwest side of Ferry street.

William Farmer, Jr., for repairing culvert across Niagara street, on westerly side of Ontario street.

Same, for repairing Ontario street between Niagara street and the city line.

Same, for repairing Amherst street between State Ditch and Howell street.

W. I. Williams, for repairing wood culvert across Jersey street, on northeasterly side of Eeventh street.

Same, for repairing plank crosswalk across Massachusetts street, on northeast side of Ninth street.

Lauren Williams, for replacing bridge across Smith street, on northerly side of Abbott Road.

Same, for repairing bridge on Williamsville Road between William street and N. Y. C. Railroad.

Dean Candee, for repairing breakwater from lot 50 to southerly bounds of the city.

William Graham, for repairing bridge across Ravine on Mineral Spring street. Referred to Committee on New Territory.

REPORTS OF COMMITTEES.

Ald. Wheeler from the Committee on Schools reported in favor of the adoption of the following resolutions:

That, the City Assessors assess $3000 upon the taxable property in School District No. 33 (as described by the ordinances) for the purpose of payment for land purchased therein, and the building furnishing and repairs of the School House therein, and the appurtenances thereto. Adopted.

That the account of James H. French, for services as Teacher in the Public Schools, since Sept. 2d, 1861, be disallowed, for the reason that he has no valid claim against the city, and that he have leave to withdraw his account. Adopted.

Also in favor of allowing the following accounts and of drawing orders for the same:

Peter Burgard, for wood for schools—$839 50.

O. E. Sibley, for repairing clocks for schools—$1 25.

W. Emmons, for work and materials for Central School —$24 00.

Valentine Bibus, for sawing wood for schools—$24 00.

P. A. Balcom, for rent for school house in Dist. No. 15 —$52 00.

Adam Karns, for clearing ground for new school house in District No. 15—$30 00.

Hersee & Timmerman, for sundries for schools—$17 88. Adopted.

Ald. Palmer, from the Committee on Streets reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause the wood culvert across Folsom street, between Spring and Jefferson streets to be repaired at an expense not to exceed $3, and report. Adopted.

That the Street Commissioner cause Jefferson street to be repaired, between South Division and Swan streets, by filling holes with brick bats, at an expense not to exceed $10, and report. Adopted.

That the Street Commissioner cause the wood culvert across Allen street, on the westerly side of Delaware street to be repaired at an expense not to exceed $6, and report. Adopted.

That the Street Commissioner cause Seneca street between Emslie and Van Renssalear streets to be repaired, by taking up the paving and relaying the same over the sewer in said streets, at an expense not to exceed $70, and report. Adopted.

Also in favor of allowing the following accounts and of drawing orders for the same:

A. D. Morton, for repairing North Canal street, from Emslie street, to Hagerman street—$24 95.

Isaac Holloway, for deepening the gutter at the northwest corner of Main and Niagara streets—$22 85.

David Walker, Jr., for repairing Goodell street, between Michigan and Mulberry streets—$10 00.

Philip Shan, for cleaning streets, &c., in October, 1861 —$10 50.

John Erb, for the same—$16 12.

John Fisher, for the same—$13 13.

David Walker, Jr., for repairing Cannecticut street, between Eleventh and Thirteenth streets—$20 00.

George Miller, for furnishing and placing platform stone over the gutter, on the southerly side of Huron street, at the southeast corner of Ellicott street—$14 99.

David Walker, for repairing Cedar street, between the southerly curb line of Batavia street, and a point 300 ft. southerly therefrom—$9 87.

Same, for repairing Staats street, in front of the Niagara market ground—$4 00. Adopted.

Also reported in favor of directing City Assessors to make assessments as follows:

Assess $65 for repairing the carriageway, on the westerly sidy of Cazenovia Terrace, from the crosswalk on the southerly side of Court Street, to a point 100 feet southerly therefrom—Adopted.

Assess $9 99, for repairing the sewer in the sidewalk, on the easterly side of Pine street, passing the well at the northeast corner of South Division and Pine streets. Adopted.

Ald. Swartz, from the Committee on Side and Cross Walks, reported in favor of the adoption of the following resolutions.

That the owners of the land on the northerly side of North Canal street, between Swan and Emslie streets, cause a sidewalk to be repaired in front of their respective lots, four feet wide, by substituting good new hemlock plank three inches thick where necessary, within twenty days; and if not done within that time, then the Street Commissioner cause the same to be done at an expense not exceeding $50, and report. Adopted.

That the owners of the land on the southerly side of Cazenovia Terrace, between Lock and Seneca streets, cause a sidewalk to be repaired in front of their respective lots, by substituting new stone and hemlock plank where necessary, within ten days; and if not done within that time, then the Street Commissioner cause the same to be done at an expense not exceeding $50, and report. Adopted.

That the owners of the land on the southerly side of Lock street, between Erie street and the Terrace, cause a sidewalk to be repaired in front of their respective lots, four feet wide, by substituting good hemlock plank three inches thick where necessary, within ten days; and if not done within that time, then the Street Commissioner cause the same to be done at an expense not exceeding $40, and report. Adopted.

That the owners of the land on the south side of Seneca street, between Hydraulic and Van Rensselaer streets, cause a sidewalk to be repaired in front of their respective lots four feet wide by substituting good new hemlock plank three inches thick, where necessary, within twenty days, and if not done within that time then the Street Commissioner cause the same to be done at an expense not exceeding $25, and report. Adopted.

That the owners of the land on the south side of North Division street, between Pine and Cedar streets, cause a sidewalk to be repaired in front of their respective lots four feet wide by substituting good new hemlock plank three inches thick where necessary, within twenty days, and if not done in that time then the Street Commissioner cause the same to be done at an expense not exceeding $40, and report. Adopted.

That the owners of the land on the northerly side of South street, between Tennesse and Vandalia streets, cause a side walk to be repaired in front of their respective lots by filling the same and substituting good and new hemlock plank three inches thick where necessary,

within five days, and if not done within that time then the Street Commissioner cause the same to be done at an expense not exceeding $100, and report. Adopted.

That the owners of the land on the southeast side of Georgia streets, between a point 50 feet westerly from Fifth street and a point 25 feet westerly from the first named point, cause a sidewalk to be repaired in front of their respective lots by relaying new hemlock plank three inches thick where necessary, within five days, and if not done within that time then the Street Commissioner ccuse the same to be done at an expense not exceeding $5, and report. Adopted.

Also, reported in favor of directing the City Assessors to make assessments af follows:

Assess $19 20 for repairing the sidewalk on the northerly side of Fulton street, between Alabama and Hamburgh streets. Adopted.

Assess $4 16 for repairing sidewalk on the northerly side of South Division street, between Pine stpeet and the east line of Public School lot No. 6. Adopted.

Also in favor of allowing the following accounts and of drawing orders for the same:

W. I. Williams, for constructing a sidewalk on the northeast side of Fourteenth street, between Vermont and Rhode Islond streets—$25 92.

Same, for repairing the sidewalk on the southerly side of Batavia street, between Jefferson and Spring streets—$50 00.

Lauren Williams, for repairing crosswalk across Madison street and the southerly side of William street—$7 15.

Same, for repairing crosswalk across Spring street on the southerly side of William street—$7 06. Adopted.

The Committee on Fire, to whom was referred the subject matter of a plan for the better organization of the Fire Department of the city, report, that they have had the subject under consideration, have given it that care and investigation that a subject of so much importance demands, and are satisfied from the experience had for the past season with steam fire engines, that it is for the best interests of tax-payers and citizens at large, and that it is the duty of this Council to employ or establish, as far as practicable, steam engines in place of the hand engines now in use. The Committee by this report do not intend to cast any discredit on the present hand force, deeming it as good and efficient as could possibly be constituted with hand engines; but knowing, from the experience had, that a steam department is so much more efficient than a hand department, the Committee deem it their duty to recommend to the Council the employment of two steam fire engines in addition to those now in use, and submit the following resolution, and recommend its adoption:

Resolved, That the Fire Marshal, with the approval of the Fire Committee, be and he is hereby authorized to rent two steam fire engines of Sidney Shepard for one year, with the agreement that if at the end of that time, or within six months thereafter, the city desires to purchase the said engines it can do so for the price of $3,500 each, and the rent then paid shall be considered as a partial payment, the same as if the City had originally purchased the said engines for $3,500 each; and the balance together with interest on all sums remaining unpaid from the date of the lease or leases shall then be paid, and the said engines shall then become the property of the City of Buffalo.

GEORGE YAW,
EVERARD PALMER,
JAMES ADAMS,
N. JONES,
Z. G. ALLEN,

Ald. Hanovan moved that said report be referred back to the Committee on Fire, with instructions to report as to the places where said engines are to be located.

Ald. Bemis offered the following as a substitute for said report.

Resolved, That in the judgment of this Council, no further change should be made in the present condition of the Fire Department, until the New Territory, so called, shall be included in the district to be proportionably taxed, for all expenses on account of the said department.

Ald. Felton was called to the chair.

The President addressed the Council on the subject of said report, and then resumed the Chair.

The question was then taken on the substitute offered by Ald. Bemis, and the same was lost. Ayes 6; noes 14.

The motion of Ald. Hanovan, that said report be referred back to the Committee on Fire, with instructions to report as to places where said engines are to be located, was then lost.

Ald. Bemis then offered the following as an amendment to said report:

Resolved, That in pursuance of section 8 of title 5, of the City Charter, this Council has no power at present to create the proposed liability or make the contract contemplated in the report of the Committee on Fire.

Ald. Felton moved that the whole subject be laid upon the table for one week, to be taken up under order of reports from the Committee on Fire. Carried.

Ald. Yaw, from the Committee on Fire, also reported in favor of allowing the following accounts, and of drawing orders for same:

M. Lash, for hay for Fire Department—$6 58.

Dickey & Marsh, for oats &c., for same—$39 40.

Wm. Schulz, for hay for same—$5 42.

Dan B. Castle, for repairing clock for same—$1 25.

Hersee & Timmerman, for repairing chairs, &c., for same—$1 38.

Newman & Scovill, for rope, &c., for same—27 67.

Jacob Gerlach, for setting glass for same—$3 23.

John J. Leader, for shoeing horses for same—$23 57. Adopted.

Also in favor of the adoption of the following resolutions:

That permission be and is hereby granted to James Boyd, to erect a wood shed 12 by 20 feet, in the rear of his premises on Niagara street, near Jersey street, the same to be erected under the direction of the Fire Marshal, within three months, and subject to the further order of this Council. Adopted. Ayes, 21; Noes, 0.

That permission be and is hereby granted to Adam Rohner, to erect a wooden addition to the rear of his dwelling house, No. 266 Elm street, the same to be built under the direction of the Fire Marshal, within three months, and subject to the further order of this Council. Adopted. Ayes, 21; Noes, 0.

That the prayer of the petition of J. C. Clifford, asking permission to remove a frame cottage from the rear to the front of lot in the rear of North Presbyterian Church be and the same is hereby denied. Adopted.

Ald. Jones, from the Committee on Water, reported in favor of allowing the following accounts, and of drawing orders for same.

Ernest Kline, for hydrant boxes and repairing same—$21 30.

John Gisel, for repairing and new pump corner Goodell and Mulberry streets—$14 94.

Same, for repairing pump corner Genesee and Mortimer streets—$1 38.

Klein & Dobinson, for repairing pump corner Kansas and North Adams streets—$3 18.

Same, for repairing pump on Elm street, between Clinton and Batavia streets—$3 25.

Same, for repairing pump corner Niagara street and Auburn Avenue.—$3 85. Adopted.

Also, in favor of directing the City Assessors to assess $30 for repairing and maintaining the public well and pump No. 31, located on the south side of William street, opposite of Potter street. Adopted.

Ald. Dayton, from the Committee on Claims, reported in favor of allowing the following accounts, and of drawing orders for same:

Clapp, Mathews & Waite, for printing for Common Council	$176 75
Otis F. Presbrey, for disbursements	9 11
Valentine Brotz, for ballot boxes, etc	52 75
Nathan Lyman, for hand stamp for Treasurer	1 50
Queen City Ice Co., for ice for City Buildings	11 75
Hersee & Timmerman, for repairs on Mayor's office	10 53
Geo. F. Needham, for spittoon for Receiver's office	38
Jno. C. Jewett, water cooler for same	3 00
Same, for duster for Surveysr's office	1 13
Same, for " Treasurer's "	1 00
Maurice Courtney, for setting glass at Mayor's office, allowed at	56
W. B. Olver, for same on Assessor's office, charged at $2 08, allowed at	1 33
H. G. White, for curtains for Treasurer's office	3 63
L. Flersheim, for flags for Council Chamber	3 37

—Adopted.

Ald. Jones, from the Committee on License, reported in favor of authorizing the Mayor to grant a license to each of the following named persons, upon the terms prescribed by the city ordinances.

John W. Brooks, to peddle fresh meat by the quarter.

J. S. Smith, to peddle sheep, lambs and calves.

John Hall & Co., to sell fresh meat at store No. 218 North Division street, corner Hickory. Adopted.

Ald. Savage, from the Committee on Sanitary Measures, reported in favor of the adoption of the following resolutions:

That the prayer of the petition of J. W. Leech and others asking that the slaughter house at the corner of Alabama and Seneca streets occupied by John S. Smith be removed, be denied, and that the said Smith be and he is hereby permitted to use the said house for the purpose of slaughtering, subject to the terms and conditions prescribed by the city ordinances. Adopted.—Ayes 21—noes 0.

That an order be drawn on the fund for abating a nuisance on ground frontieg on the northerly side of Virginia street being 67 feet front by 91½ feet deep, and commencing 100 feet east af Ninth street, in favor of William Mensch for twenty-one 50-100 dollars in full of his account for doing said work. Adopted.

Ald. Crowder, from the Committee on New Territory, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause the plank crosswalk across Delavan Avenue, on the easterly side of North Washington street, to be repaired at an expense not to exceed $4 00, and report. Adopted.

That the Street Commissioner cause the wood culvert across Vermont street, on the easterly side of Sixth street, to be reconstructed at an expense not to exceed $4 00, and report. Adopted.

That the Street Commissioner cause the wood culvert across Bird Avenue, on the east side of North Washington street to be repaired at an expense not to exceed $8, and report. Adopted.

That the Street Commissioner cause the wood culvert across Howard street, on the easterly side of Monroe street to be repaired at an expense not to exceed $4 00, and report. Adopted.

That the Street Commissioner is hereby authorized and directed to contract with with James McGlinn, for repairing the sewer in Albany street, between Niagara street and the Erie Canal, in accordance with the plan and specifications for doing the work, at a sum not exceeding two hundred and eighty-nine dollars, ($289). Adopted.

Also in favor of directing the City Assessors to make an assessment as follows:

Assess $6 96 for constructing a wood culvert across Bird street, on the easterly side of the Military Road. Adopted.

Also reported in favor of allowing the following accounts and of drawing orders for the same:

Alvin Joslyn for repairing the brtdge accross a ravine on Mineral Spring street, about 50 rods northeasterly from the Aurora Plank Road—$49 96.

W. I. Williams, for repairing a bridge over ravine on Clinton street, about 200 feet westerly from the Buffalo & New York Central Railroad—$49 77.

Wm. Farmer, Jr., for repairing wood culvert across East street, on the southeasterly side of Austin street—$5 79.

Same, for repairing wood culvert across Blossom street on the easterly side of the Military Road—$4 91.

William A. Bird for repairing Niagara street, from the Centre of Bird street to Cornelius Creek, by planking a carriageway therein as per contract—$667 60.

W. I. Williams, for repairing wood culvert across Eleventh street, on the southeast side of Massachusetts street—$7 54. Adopted.

Also reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause the bridge across Cazenovia Creek, on the White's Corners plank road, to be reconstructed at an expense not to exceed $99, and report.

Ald. Rutter moved that said resolution be referred back to the Committee on New Territory. Carried.

That the Street Commissioner cause the wood culvert across Bouck Avenue, about 962 feet westerly from Delaware street, to be reconstructed at an expense not to exceed $10, and report. Adopted.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Hanovan—That Fulton street be repaired between Alabama and Hamburgh streets, by filling holes with cinders and other hard materials, at an expense not exceeding $12; and that the Street Commissioner cause the same to be done and report. Adopted.

By Ald. Hanovan—That Hayward street be repaired between Fulton and Elk streets, by filling holes with cinders and other hard materials, at an expense not exceeding $15, and that the Street Commissioner cause the same to be done and report. Adopted.

By Ald. Bemis.

Whereas the Board of Supervisors of the County of Erie, now in session in this city, are seeking the repeal of certain provisions of the Charter of the City of Buffalo, in relation to the representation of said City in said Board of Supervisors; therefore,

Resolved, That the Common Council of the City of Buffalo doth hereby protest against said Board of Supervisors meddling in any manner with the local law of said City. But would nevertheless recommend to the said Board of Supervisors, if their said proposed action is honestly based upon principles of economy, that they unite with this Council in an application to the next Legislature, to so modify the existing law, that each Assembly District in the County of Erie may have an equal representation in said Board.

Resolved, further, That the Members of Assembly from this City, and the Senator from this District, be, and they are hereby requested to use all honorabte means to prevent the repeal or modification of said law, except upon the basis of representation referred to as above.

Ald. Storck moved that said preamble and resolutions be laid upon the table. Carried.

Ald. Adams moved that this Council do now adjourn. Carried—Ayes, 11; Noes, 9.

The resolutions remaining on the desk of the clerk, at the adjournment of the Council were by him referred to Committees, as follows.

That the Council take from the table the petition of Wm. A. Sutton, asking for a seat as Alderman to fill vacancy, and that the Council proceed to canvass so much of the returns at the late election, from the 7th Ward, as relates to Alderman to fill vacancy.

That local order, No. 427, for $50, be divided into two orders. Referred to Committee on Finance.

That the plank road in Swan street, between the easterly termination of the pavement in Swan street and Seneca street, be repaired—Referred to the Committee on Streets.

That the crosswalk across Delaware street, on the northerly side of Allen street, be reconstructed.

That the sidewalk on the westerly side of Alabama street, between Elk and Miami streets, be repaired.

That the crosswalk across Spring street, on the south side of Sycamore street, be repaired.

That the crosswalk across Mortimer street, on the south side of Sycamore street, be repaired.

That the sidewalk on the south side of Hickory street, between Genesee and Sycamore streets, be repaired.

That the sidewalk, on the easterly side of Emslie street, between Seneca and North Canal streets, be repaired.

That the sidewalk, on the south side of Tupper street, between Franklin and Delaware streets, be repaired.

That a crosswalk across Eagle street, on the west side of Cedar street, be constructed. Referred to the Committee on Side and Crosswalks.

That the pump at the southeast corner of Elk and Michigan streets, be repaired. Referred to Committee on Water.

That Smith street, between Elk street and the White's Corners plank road, be repaired.

That the wood culvert across Clinton avenue, on the easterly side of North Washington street, be repaired.

That the wood culvert across Genesee street, on the easterly line of the Williamsville road, be repaired.

That a wood culvert across Farmer street, on the easterly side of Niagara street, be constructed.

That the wood culvert across Delevan avenue, about 1530 feet westerly from the Williamsville road, be repaired.

That the wood culvert across Delaware street, about 800 feet northerly from Bird street, be repaired.

That the wood culvert across Jersey street, on the northeasterly side of Seventh street, be repaired.

That a culvert across East street, on the south side of Austin street, be reconstructed.

That the crosswalk across Vermont street, on the northeast side of Ninth street, be repaired.

That the sidewalk on the southeast side of Arkansas street, between North Adams and Barton streets, be repaired.

That the sidewalk on the northerly side of Barker street, between a point 478½ feet westerly from Main street and a point 95 feet westerly therefrom, be repaired.

Referred to Committee on New Territory.

The Common Council adjourned to meet next Monday after noon, November 25th, 1861, at two o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 41.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Nov. 25, 1861,
At 2 o'clock P. M.

Present—Asaph S. Bemis, Esq., President of the Council; and Ald. Adams, Allen, Beckwith, Brush, Crowder, Dayton, Dorr, Felton, Goembel, Grass, Hannovan, Hopkins, Jones, Mills, Palmer, Pratt, Rutter, Savage, Scheu, Storck, Swartz,, Walsh, Wheeler and Yaw.

Absent—Ald. Russell.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM HIS HONOR THE MAYOR

MAYOR'S OFFICE,
Buffalo, Nov. 25, 1861.

To the Hon. Common Council:

GENTLEMEN.—I have this day been served with summons and complaint on the part of the Buffalo and Hamburgh Turnpike Company against the city of Buffalo. Also an order emanating from the Superior Court of Buffalo" that the city of Buffalo and Levi J. Waters, Street Commissioner of the city of Buffalo, and his successors in office, and the officers of said city of Buffalo, and the agents or workmen of the defendants, or either of them, do refrain until some further or different order is made in the premises from taking down or in any manner removing or interferring with a certain bridge built and used by the plaintiff over the Buffalo Creek in the city of Buffalo." I have sent the papers to the City Attorney.

I beg to call the attention of your Honorable Body to the propriety of memoralizing Congress and explaining to that body the necessity of making such appropriations as may be requisite to maintain the efficiency and permancency of Buffalo Harbor. Considering the great demand for money made upon Congress for the defence and perpetuity of the nation, it might seem objectionable and as exhibiting a want of patriotism to make applications of this character at the present time, but I think a careful consideration of the subject will approve of the project. Our harbor is situated at the foot of the chain of great lakes, and at the end of natural navigation for vessels. The present unfortunate civil war by curtailing or destroying other avenues of trade and the unprecedented demand for the products of the west has concentrated an unusual amount of business in our city, and the successful manner in which it has been conducted has demonstrated beyond all question the superiority of the route through Buffalo over all others, and also demonstrated the importance of this fact in a national point of view.

The large quantity of grain that has flowed in a steady and uninterrupted tide through our city the past season, through the Erie Canal to New York, and thence to Europe, has resulted in influences and effects not easily appreciable. Statistics show that the exports from the port of New York has increased many millions over the exports for the last three years, notwithstanding there has been but little cotton and other southern products which have formed heretofore a very large proportion of the exports from that city. Those exports have been paid for in specie and there has been a constant influx of the precious metals in return for our grain. The banks of the city of New York are the depositories of the specie of the Northern and Western States, and they have been enabled to furnish government with all its large demands, and thus have infused high and hopeful sentiments of success and future prosperity in the minds of our people at home, and renewed confidence in the permanency of our institutions abroad. The business and trade of the Northern and Western States the past season, has exhibited the anomaly of a country apparently growing rich when engaged in civil war. The exports of breadstuffs has had a material influence in shaping the diplomatic policy of the nations of Europe. The food furnished the people has taught their rulers the danger and improprity of interfering with our domestic affairs.

It must be recollected that through no other channel could the immense supplies from the West have reached tide water this year. The Welland Canal could have transacted much more business than has presented itself, and thus by way of Lake Ontario, Oswego and Erie Canals have furnished a route for a portion; but this exception exhibits with great force the national aspect of our claims, as that route is through the territory of a foreign power, and beyond our immediate control.

Buffalo harbor, through the enterprise of our citizens and the liberality of the State, affords ample room for the present wants of commerce, but unfortunately it is so situated that at times vessels cannot enter, except at great risk, and instances have recently occurred in which they have been cast on the Erie breakwater, and vessels and cargoes seriously damaged or destroyed. The harbor at the end of the south pier fills rapidly with sand, and as the lake outside of the south pier has been filling rapidly, greater accumulations of sand may be anticipated, and a large and growing expense be annually entailed upon the city. Those difficulties will be wholly removed by extend-

ing the south pier on its present line several hundred feet into the lake, and additional harbor room created thereby, which the growing trade of the lakes will soon demand.

Efforts have been frequently made to obtain appropriations for the harbor, and have been successful, as far as congressional action was necessary, but have been finally rendered inoperative by the non-concurrence of the President. Unquestionably the present Congress, and I doubt not the Executive, must approve of the wise doctrine of protecting the harbors of the great lakes, as well of those on the seaboard. And as the great commercial operations of the year has placed our city in a position where her importance and her claims cannot be well overlooked or ignored, I would suggest that now is the time to accomplish this important purpose, and I respectfully recommend that your honorable body appoint a committee to take the matter into consideration; have suitable maps prepared, showing the present condition of the harbor, the proposed improvement, estimates of cost, statistics exhibiting the increase of commeece at the port, tonnage employed, arrivals and departures of vessels, exports and imports, and other subjects pertaining to and necessary to be obtained before memorializing Congress, which should be done by your honorable body at an early day as possible. If proper action is taken without delay I have good reason to believe that it will accomplish the desired purpose.

Very respectfully,

F. A. ALBERGER, Mayor.

Ald. Felton offered the following -

Resolved, That the communication be received, placed on file, and that that part of it which relates to the harbor be referred to the Committee on Wharves, Harbors and Ferries.

Ald. Palmer offered the following as an amendment to the motion of Ald. Felton:

Resolved, That so much of the Mayor's communication as relates to the injunction be referred to the City Attorney, and that he be directed to report what steps are necessary to be taken, at the next meeting of this Council.

Ald. Felton accepted the amendment offered by Ald. Palmer.

Ald. Storck offered the following, as an amendment to the motion of Ald. Felton as amended:

Resolved, That so much of the Mayor's communication as relates to the Buffalo harbor, be referred to a Special Committee of Five.

Ald. Stork withdrew the foregoing amendment offered by him.

Ald. Stork then offered the following as a substitute for the amended motion of Ald. Felton:

Resolved, That so much of the Mayor's communication as relates to the injunctions be referred to the City Attorney, and that he be directed to report what steps are necessary to be taken at the next meeting of this Council; and so much as relates to the suit, and, also, that part that relates to the Buffalo Harbor be referred to a special committee of five.

Ald. Swartz called for a division of the question.—Granted.

The question was then taken on the first proposition of the motion of Ald. Storck, viz: that so much of the communication from His Honor the Mayor as relates to the suit commenced against the City by the Buffalo and Hamburgh Turnpike Company, be referred to the City Attorney, and that he be directed to report what steps are necessary to be taken, and the same was carried.

The question was then taken on the motion of Ald. Felton as originally made by him viz: that such communication be received and filed, and that so much of the same as relates to the Harbor be referred to the Committee on Wharves, Harbors and Ferries, and the same was carried.

The question was then taken on the resolution offered by Ald. Felton as amended, and the same was carried.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

GENTLEMEN:—In 1856, the Superintendent of Schools, by direction of the Council, sold the old school-house site in School District No. 1, to Wesley Chase and Son, at and for the price of $3,200, providing that said Chase and Son could so arrange the payments as to meet the payments on the City bonds falling due in September and October, 1857, given in purchase of the new school lot in said district, and as will be seen at page 364 of Council Proceedings of 1856, the City Attorney was directed to prepare the necessary papers of conveyance and security.

The bonds referred to were two bonds of $937 50 each, issued to E. S. Havens, Sept. 21, 1855, payable in two years—$1,875. Bond to S. G. Haven for $1,250, issued Oct. 1, 1855, payable in two years. Said purchasers have had no deed of the premises, but entered at once into possession, and have paid the bonds to E. S. Havens, and have kept the interest up on the bond to S. G. Haven, and nothing further has been done in the premises. It will be seen that $75 was due the City, aside from paying or assuming said bonds. I am desirous of having this matter fully closed, and the Messrs. Chase also express a willingness to now pay the balance due the City, and take title by deed.

I would therefore recommend that the City Attorney be directed to draw the proper deed and papers, and that the same be executed by the proper officers on the part of the City, to be delivered on payment into the City Treasury of balance due—said bond to S. G. Haven to be paid by grantees, or assumed by them in said deed if City Attorney shall so advise, and that he report his action to your honorable body.

I also report that the City has a claim against the several Street Railways for Printing, and I recommend that the City Clerk be directed to present parties liable to pay with bills for such payment, and that he be authorized to receive payment, and that he pay amount so collected into the City Treasury, and report to your body.

ALONZO TANNER, Comptroller.

Filed, and recommendations adopted.

The Comptroller also reported the amounts due to the Clerks employed in his office, for services during the month of November.

Filed, and orders directed to be drawn.

FROM THE COMPTROLLER AND CITY TREASURER.

GENTLEMEN—On the 23d of September, a resolution from the Chairman of the Committee on Finance was adopted by you, referring to the undersigned the Comptroller's annual report, and we were by said resolution re-

quested to add to said report the debit and credit balances on the Treasurer's books on all local assessments mentioned in Schedule K, and report the same back to your honorable body at the earliest practicable day.

The Treasurer, under the direction of Ald. Howard, employed extra help in order to comply with the request of your body, but the additions have not yet been made, and with the progress now made it will not be completed in many weeks, and besides we are satisfied that such addition will be of no possible benefit to said report or to the tax payers, and will only be incurring useless additional expense, and consequently delay still longer the publication of these reports, which should have been published long since. We therefore report back said report, and recommend that the Comptroller's annual reports for 1859 and 1860 be published, 1,000 copies of each report, inclusive of 100 copies of each to be bound in cloth, as per samples furnished city job printers.

ALONZO TANNER, Comptroller,
J. S. TROWBRIDGE, Treasurer.

Ald. Adams moved that such communication be received and placed on file, and that the recommendations therein contained be adopted. Carried.

FROM THE STREET COMMISSIONER.

The undersigned submits for your consideration the propriety of constructing a sewer down Fort street, with a receiver, at or near the intersection of Niagara, Sixth and Fort streets. Large bodies of water concentrates at that point in the spring, and falls from the high ground on Sixth, Seventh and Niagara streets, which cannot find an outlet without passing down the westerly gutter in Niagara street to Albany street, and the flow is so great that the space under the platforms has not sufficient capacity to pass the water in such quantities, causing it to flood the pavement, and in cold weather the water freezes rendering the passage on the street very annoying and even dangerous, and also damaging the pavement. Such an improvement is a public necessity, and shou'd have been made at the time Niagara street was paved, and ought not now to be delayed in consequence of the near approach of winter. Therefore, the undersigned recommend the same to your immediate consideration, that the work may be properly ordered and completed, if possible, the present season.

L. J. WATERS, Street Commissioner.

Referred to Committee on Sewers.

FURTHER FROM THE STREET COMMISSIONER.

In compliance with your directions the undersigned reports that he examined the public well, at the corner of William and Jefferson streets, and finds the reason for the water in the same being bad and unfit for use, is impure water passing into the well through a seam in the rock, about 6 feet below the surface of said rock.

L. J. WATERS, Street Commissioner.

Referred to the Committee on Water.

FURTHER FROM THE STREET COMMISSIONER.

In compliance with your directions the undersigned advertised for proposals for constructing a brick sewer in the center of Delaware Place from the sewer in Virginia street, easterly, to a point 100 feet westerly from Delaware street, and have received the following:

From John Drexler, per lineal foot—$1 00.
From James McGlinn, per lineal foot—$1 03.
From James Harraden, per lineal foot—$0 99.
From Henry Harter, Jr., per lineal foot—$0 97.
From John Wannop, per lineal foot—$1 08.
From Churchard & Benzinger, per lineal foot—$1 00.

L. J. WATERS, Street Commissioner.

Referred to Committee on Sewers.

FURTHER FROM THE STREET COMMISSIONER.

In compliance with your directions the undersigned advertised for proposals to deepen the well at the corner of Hickory and Clinton streets, by drilling the rock at the bottom of the same, and have received the following, to-wit:

From John Drexler, for drilling per foot in depth—$6 50.

L. J. WATERS, Street Commissioner.

Referred to the Committee on Water.

FURTHER FROM THE STREET COMMISSIONER.

In compliance with your directions, the undersigned advertised six days in the city paper for constructing a stone sidewalk, four feet wide, on the northerly side of Amherst street, between Niagara and Dearborn streets, and have received the following, to wit: from Isaac Holloway for stone sidewalk per lineal foot 50 cents.

L. J. WATERS, Street Commissioner.

Referred to Committee on New Territory.

The Street Commissioner also reported the amounts due to the Clerks employed in his office for services during the month of November. Filed and orders directed to be drawn.

FURTHER FROM THE STREET COMMISSIONER.

Isaac Holloway asks for a payment to apply on contract for grading Delaware street, from Virginia street to North street, and from a point 200 feet north from North street to Utica street.

Amount of the contract is $2,033 60; amount paid on the same is nothing; amount of work done and not paid for $800 00; amount proposed to be paid at this date $600 00; and the undersigned recommend that orders be drawn for the amount proposed.

L. J. WATERS, Street Commissioner.

Ald. Palmer moved that such communication be received and filed, and that orders be drawn as recommended. Carried.

FURTHER FROM THE STREET COMMISSIONER.

Mr. Isaac Holloway asks for a payment to apply on contract for grading and paving Niagara street from the northerly line of Amherst street to the northerly line of Hamilton street.

The amount of said contract is.....	$2 875 14
Amount already paid on the same.....	2,200 00
Amount of work done and not paid for.....	625 14
Amount to be paid at this date.....	500 00

Mr. Holloway has completed the above work and recommends that an order be drawn in his favor for $500, as above proposed.

L. J. WATERS,
Street Commissioner.

Ald. Swartz moved that such communication be received and filed, and that orders be drawn as recommended. Carried.

FURTHER FROM THE STREET COMMISSIONER.

This morning the undersigned had a copy of an injunction issued by the Superior Court of Buffalo in behalf of the Buffalo and Hamburg Turnpike Company, served on him, enjoining the city and its Street Commissioner in the matter of the proposed removing the toll bridge across Buffalo Creek, on Ohio street, the papers are herewith presented.

L. J. WATERS,
Street Commissioner.

Ald. Swartz moved that such communication together with the papers accompanying the same, be referred to the City Attorney. Carried.

FROM THE CITY SURVEYOR.

I submit herewith the following report of the amounts of the dredging done by Messrs. Dunbar & Strong, under their contract for dredging Buffalo Creek and Buffalo Harbor:

Total amount done by W. R. Strong, outside the North Pier, yards	2,025
Total amount done by W. R. Strong, inside the North Pier, yards	1,640
Total amount done by Thomas Dunbar, outside the North Pier, yards	2,220
Total amount done by Thomas Dunbar, inside the North Pier, yards	2,511

ESTIMATED COST.

W. R. Strong—2,025 yards outside dredging, at 25c	$506 25
W. R. Strong—1,640 yards inside dredging, at 18c	295 20
Total amount due W. R. Strong	$801 45
Thomas Dunbar—2,220 yards outside dredging at 25c	$555 00
Thomas Dunbar—2,511 yards inside dredging, at 18c	451 98
Total amount due Thomas Dunbar	$1,006 98

I would recommend that an order be drawn in favor of William R. Strong for $600; also for Thomas Dunbar, for $750.

PETER EMSLIE, City Surveyor.

Ald. Allen moved that such communication be received and filed, and that orders be drawn as recommended. Carried.

The City Surveyor also reported the amounts due to the Clerks employed in his office, for services during the month of November. Filed, and orders directed to be drawn.

FROM THE SUPERINTENDENT OF SCHOOLS.

The number of school desks recently thrown upon the hands of the city, in its suit with Mr. Mesmer, is 46, of which 34 are fitted for Third Departments, and 14 are designed for an Intermediate Department. Mr. O'Brian declines to permit their removal, without some assurance that he will be paid for their storage from May 1st, 1861.

I respectfully suggest that as these desks are now a source of expense for storage, and are needed in some of the districts, that I be authorized, with the Chairman of the School Committee, to agree upon a reasonable compensation to Mr. O'Brian, and to place the desks where they are needed.

SANFORD B. HUNT,
Superintendent of Schools.

Referred to Committee on Schools.

FURTHER FROM THE SUPERINTENDENT OF SCHOOLS.

Public School No. 32 is now over-crowded in its Intermediate Department, some thirty pupils having no desks. I respectfully suggest that I be authorized to place the fourteen intermediate desks, now stored by Mr. O'Brian, in the department mentioned, and that No. 32 be charged with the same, and their value placed to the credit of the districts for which they were originally ordered by ex-Superintendent Cook.

I further report that Public School No. 31 has now but two departments open, while the present registration is 449 pupils, which is more than the average of Schools of three departments, while at the same time the number of scholars is rapidly increasing. The two rooms now occupied are over crowded, and an intermediate department is needed.

Such a department can now be opened at small expense. The building needs no change and can be readily adapted as follows: The seats now in use in the third story are intermediate seats and should be transferred to the second story, where, with the addition of one stove, chairs and teachers table, the furnishing would be complete.

The thirty-four full sized desks, now in store, should be placed in the Third Department, and, say, forty additional desks purchased, so as to seat 150 scholars. In this way the furnishing of No. 31 can be completed economically, and sufficient accomodations provided for this growing and prosperous school.

I respectfully suggest that I be authorized to make the improvements herein enumerated.

SANFORD B. HUNT,
Superintendant of Schools.

Referred to Committee on Schools.

FROM THE CITY TREASURER.

In accordance with a resolution passed by your honorable body, I have redeemed orders that are properly chargeable to the balance account to the amount principal and interest—$659 51.

Would respectfully ask that an order for that amount be drawn in favor of the Comptroller.

JNO. S. TROWBRIDGE, Treasurer.

Filed, and order directed to be drawn as recommended.

The City Assessors reported the amount due to the Clerk employed in their office for services during the month of November.

Filed, and order directed to be drawn.

FROM THE RECEIVER OF TAXES.

I have purchased one thousand penny postage stamps to pre-pay notices on the local tax rolls in this office. I respectfully ask that an order be drawn for that amount

GORDON BAILEY,
for the Receiver of Taxes.

Ald. Storck moved that such communication be received and filed and that an order be drawn as recommended. Carried.

The Receiver of Taxes also reported the amounts due to the Clerks employed in his office, for services during the month of November. Filed, and orders directed to be drawn.

The Overseer of the Poor reported the amounts due to the Clerks employed in his office, for services during the month of November. Filed, and orders directed to be drawn.

The City Clerk reported the amounts due to the Clerks employed in his office, to the Harbor Masters, to the Porters to the City Buildings, to the Scavenger, and to the Keeper of the Pest House, for services during the month of November. Filed, and orders directed to be drawn.

PETITIONS.

Of Anna Maria Eaton and others, for cancellation of sale of premises at Tax Sale of June, 1861. Referred to Committee on Finance.

Of William C. Fitch, to be appointed Commissioner of Deeds. Referred to Committee on Schools.

Of D. Darcy and others, for new pump at junction of Sixth and Court streets. Referred to Committee on Water.

Of Martin Zimmer, for pay as Policeman for 19 days he was sick.

Of Patrick Boyle and Sherman B. Burns, To have the City Attorney directed to defend suit brought against them.

Of Harlow French and Nicolas Pitkius, for remittance of a fine imposed on them by Justice Lampman. Referred to the Committee on Police.

Of Thos. Deacon, for license to peddle fresh meat by the quarter.

Of Henry Schroeder, for same.

Of W. W. Tiffany, for same.

Of Frank Pickard, Jr., for same. Referred to Committee on License.

Of Jacob Wilde and others, for plank sidewalk on the easterly side of Smith street, between Elk street and the Abbott Road. Referred to the Committee on New Territory.

Petition of J. C. Clifford, for permission to erect an addition of wood, 8 by 12 feet, on the north side of frame building on lot in the rear of the North Presbyterian Church, also to erect an addition of wood on the east side of said building, 4 by 8 feet, for a woodshed.

Ald. Yaw moved that the prayer of the petition be granted under the direction of the Fire Marshal, and subject to the further order of this Council. Carried. Ayes, 23; Noes, 0.

ACCOUNTS REFERRED.

Peter Burgard, for wood for schools.

Theodore Butler, for library books for schools.

Felthousen & Russell, for sundries for schools.

Julius Walker, for clocks, &c., " "

Messrs. Homer & Co., for sundries " "

Elder & Stearns, for mats, " "

Ingalls & Lamphier, for work and material, school house No. 4.

E. T. Benedict, for sawing wood, for shool house No. 5. Referred to Committee on Schools.

Isaac Holloway, for repairing Church street, between the easterly line of Delaware street and Cazenovia Terrace.

Same, for grading and paving Niagara street from the northerly line of Amherst street to the northerly line of Hamilton street. Referred to Committee on Streets.

John Wannop, for repairing receiving sewer at the west side of Main street, opposite to Ferry street.

Same, for repairing receiving sewer in the alley south side of Seneca street, between Main and Washington streets.

Same, for repairing sewer and receiver at the northwest corner of Heacock and Exchange streets.

Same, for repairing sewer and receiver at the northwest corner of Centre and Seneca streets. Referred to Committee on Sewers.

Farnham & Hodge, for coal for Fire Department.

Alonzo Griggs, for horse for " "

Hollister & Laverack, for sundries "

Elder & Stearns, for do " "

Referred to Committee on Fire.

Klein & Dobinson, 9, for repairs to sundry pumps. Referred to Committee on Water.

Joseph Warren & Co., for election notice.

Hollister & Lavarack, for sundries for City Building.

James M. Galloway, for services as Inspector of Election.

James Lonergan, for same.

Hanan Colvin, for same.

J. D. A. Pohle, for services as poll clerk.

P. Hoffman, for same.

Francis Winter, for use of room for election purposes.

Jacob Sohm, for same.

Jacob Jahraus, for same.

John O'Harra, for same.

William Hughes, for same. Referred to Committee on Claims.

Hollister & Lavarack, for sundries for police stations.

D.S. Reynolds, for commitments to Penetentiary. Referred to Committee on Police.

Wm R. Strong (2), for dredging Buffalo Creek. Referred to Committee on Wharves, Harbors and Ferries.

James G. Turner, for lighting public lamps.

Buffalo Gas Lt. Co., for gas for same. Referred to Committee on Public Lamps.

Alvin Joslyn, for reconstructing the bridge across a ravine on the Williamsville road, about 200 feet southerly from Clinton street. Referred to Committee on New Territory.

REPORTS OF COMMITTEES.

Ald. Wheeler, from the Committee on Schools, reported in favor of the adoption of the following resolution:

That the action of the Superintendent of Schools in directing repairs done to Public School Building No. 6 during last spring to the amount of $298 47, be, and the same is hereby approved by this Council. Adopted.

That the Superintendent of Schools, and Chairman of the Committee on Schools, be and they are hereby authorized to cause the improvements made to the Central school building, as recommended in the communication of the Superintendent, dated November 11, 1861, the expense of the same not to exceed $250. Adopted.

Also reported in favor of allowing the following accounts and of drawing orders for same:

John Regan for cleaning School House No. 15, $6 00
Ellen Hill " " " " " 18, 10 38
Elizabeth Stucky " " " " 12, 12 00
Louis Baker, for brooms for School Department, 7 00
W. Emmons, for labor, &c., at sundry schools, charged at $125 12, allowed at.....124 14

Adopted.

On motion of Ald. Dayton, Ald. Wheeler was excused from further attendance at this meeting of the Council.

Ald. Palmer, from the Committee on Streets, reported in favor of the adoption of the following resolution:

That the resolution passed by the Common Council, December, 21, 1857, directing the City Assessors to assess $4,689 00 for the purpose of Paying the just compensation awarded to the owners of the land and property taken to straighten Niagara street, betweenthe New York Reservation Line and Mohawk street, together with the costs and expenses of ascertainment be and the same is hereby rescinded. Adopted—Ayes 20; noes 0.

That the City Assessors assess $5,764 44, for the purpose of paying the just compensation awarded to the owners of the land and property taken to straighten Niagara street, between the New York State Reservation Line and Mohawk street, together with the costs and expenses of ascertainment.

Awards	$4,609 00
Interest	1,075 44
Expenses	80 00
	$5,764 44

Ald. Palmer moved that such resolution be referred back to the Committee on Streets, and that the subject matter thereof be referred to the City Attorney, with instructions to report at the next meeting of this Council as to the power of the Common Council to add interest to the awards for the purpose of ordering an assessment. Carried.

That the Street Commissioner cause the wood culvert across Carlton street, on the east side of Maple street, to be repaired at an expense not to exceed $6, and report. Adopted.

That the Street Commissioner cause the plank road on Swan street, between the easterly termination of the pavement in Swan street and the intersection of the pavement on Seneca street, to be repaired at an expense not exceeding $90, and report. Adopted.

That the Street Commissioner cause Canal street, between Commercial and State streets, to be repaired at an expense not to exceed $50, and report. Adopted.

That the Street Commissioner cause Eagle street, between the easterly line of the Terrace and the pavement in Genesee street, to be repaired by filling holes with stone chips, at an expense not to exceed $50, and report. Adopted.

That the Street Commissioner cause High street to be repaired, between Mulberry and Locust streets, at an expense not exceeding $10, and report. Adopted.

That the Street Commissioner cause the wood culvert across Brown street, on the east side of Jefferson street, to be repaired at an expense not exceeding $6, and report. Adopted.

That the Street Commissioner cause Pratt street to be paired, by filling holes, between Clinton and William streets, at an expense not exceeding $10, and report. Adopted.

That the Street Commissioner is hereby authorized and directed to cause the several Hickory and Ash poles standing at, or near the intersection of Emslie and Seneca streets to be taken down and removed from the street. Adopted.

Also reported in favor of allowing the following accounts, and of drawing orders for the same.

W. I. Williams, for repairing wood culvert across Palmer street, on the northerly side of Virginia street. —$7 81.

Nicholas Roth, for cleaning streets, &c., during the month of October, 1861—$5 25. Adopted.

By Ald. Brush—From the Committee on Sewers reported in favor of the adoption of the following resolution:

That (when an assessment shall be confined to defray the expenses,) the Street Commissioner is hereby authorized and directed to contract with Thomas B. Tilden, for constructing a brick sewer in the sidewalk, on the northerly side of Batavia street, from the sewer in the centre of Emslie street, westerly to the easterly line of Jefferson street, in accordance with the order of the Council, and the specifications and profile for said sewer, at a sum not exceeding $2,057 69, for the entire completion of the work, for the reason that the lowest bidder declines to take the contract at his proposal, and said Tilden being the next lowest bidder. Adopted.

That the City Assessors asses $2057 69 for constructing a brick sewer in the sidewalk on the northerly side of Batavia street, westerly from the sewer in the center of Emslie street, to the easterly line of Jefferson street. Adopted.

Also, reported in favor of allowing the following accounts and of drawing orders for same:

O. Rutter, Jr., for repairing the sewer in Court street, 50 feet easterly from the Erie Canal—$2 13.

John Wannop, for repairing the sewer and receiver at the northwest corner of Hudson and Ninth streets—$14 44

Same, for repairing the sewer and receiver at the northeast corner of Huron and Delaware streets—$12 06. Adopted.

Ald. Dayton was called to the chair.

Ald. Swartz, from the Committee on Side and Cross Walks, reported in favor of the adoption of the following resolutions:

That the owners of land on the south side of Tupper street, between Franklin and Delaware streets, cause a sidewalk to be repaired in front of their respective lots, by substituting good new hemlock plank three inches thick where necessary, within ten days; and if not done within that time, that the Street Commissioner cause the same to be done at an expense not exceeding $25, and report. Adopted.

That the owners of land on the easterly side of Emslie street, between Seneca and North Canal streets, cause a sidewalk to be repaired in front of their respective lots, by levelling and straightening the plank where necessary, within five days; and if not done in that time, that the Street Commissioner cause the same to be done at an expense not exceeding $5, and report. Adopted.

That the Street Commissioner cause a plank crosswalk to be constructed across Eagle street, on the westerly side of Cedar street, at an expense not exceeding $8, and report. Adopted.

That the owners of land on the westerly side of Alabama street, between Elk and Miami streets, cause a sidewalk to be repaired in front of their respective lots, four feet wide, by substituting good, new hemlock plank, three inches thick, where necessary, within ten days, and if not done within that time, that the Street Commissioner cause the same to be done, at an expense not exceeding $20, and report. Adopted.

That the Street Commissioner cause a plank crosswalk to be reconstructed across Delaware street, on the northerly side of Allen street, at an expense not exceeding $10, and report. Adopted.

That the owners of land on the south side of Hickory street, between Genesee and Sycamore streets, commencing at a point 140 feet easterly of Genesee street, cause a sidewalk to be repaired in front of their respective lots, four feet wide, of good, new three inch plank, within five days, and if not done within that time, that the Street Commissioner cause the same to be done, at an expense not exceeding $50, and report. Adopted.

Also, reported in favor of directing the City Assessors to make assessments as follows:

Assess $59 74, for repairing the plank sidewalk on the northerly side of Fulton street, between Chicago street and Ohio Basin Slip. Adopted.

Assess $100, for constructing a stone crosswalk across Ninth street, on the northerly side of Huron street. Adopted.

Assess $14 52, for repairing the sidewalk on the northerly side of Maryland street, between Sixth and Seventh streets. Referred back to the Committee on Side and Crosswalks.

Also, reported in favor of allowing the following accounts, and drawing orders for same :

Frederick Scheifer, for constructing a plank sidewalk on the westerly side of Herman street, between Genesee and North streets—$36.

Lauren Williams, for repairing the sidewalk on the southerly side of Eagle street, between Spring and Jefferson streets—$15 12 Adopted.

Ald. Yaw, from the Committee on Fire, called up the following report from such Committee in relation to Steam Fire Engines, presented to the Council at its last meeting, and laid upon the table, viz :

The Committee on Fire, to whom was referred the subject matter of a plan for the better organization of the Fire Department of the city, report, that they have had the subject under consideration, have given it that care and investigation that a subject of so much importance demands, and are satisfied from the experience had for the past season with steam fire engines, that it is for the best interest of tax payers and citizens at large, and that it is the duty of this Council to employ or establish, as far as practicable, steam engines in place of the hand engines now in use. The Committee by this report do not intend to cast any discredit on the present hand force, deeming it as good and as efficient as could possibly be constituted with hand engines, but knowing, from the experience had, that a steam department is so much more efficient than a hand department, the Committee deem it their duty to recommend to the Council the employment of two steam fire engines in addition to those now in use, and submit the following resolution, and recommend its adoption :

Resolved, That the Fire Marshal, with the approval of the Fire Committee, be and he is hereby authorized to rent two steam fire engines of Sidney Sheppard for one year, with the agreement that if at the end of that time, or within six months thereafter, the city desire to purchase the said engines it can do so for the price of $3,500 each, and the rent then paid shall be considered as a partial payment, the same as if the city had originally purchased the said engines for $3,500 each ; and the balance together with interest on all sums remaining unpaid from the date of the lease or leases shall then be paid, and the said engines shall then become the property of the city of Buffalo.

GEO. R. YAW,
EVERARD PALMER,
JAMES ADAMS,
N. JONES,
Z. G. ALLEN,

Ald. Yaw moved that the said report be adopted.

Ald. Bemis moved that such report be postponed until the first Monday in January, 1862. Lost.

The question being on the adoption of said report, and the ayes and noes being called thereon, resulted as follows : Ayes, 15 ; Noes, 9.

The Chair decided that the said report was lost for want of a three-fourths vote.

Ald. Storck appealed from the decision of the Chair.

The decision of the Chair was not sustained. Ayes, 7; Noes, 16.

Ald. Yaw, from the Committee on Fire, also reported in favor of the adoption of the following resolution :

That the Fire Marshal be authorized to contract for two Hose Carts, similar to the last ones built for the city, at a price not to exceed $124 00 each.

Ald. Bemis objected to the adoption of said resolution, for the reason that the Council had no power to authorize such a contract, not having made any estimate therefor, or provision for the payment thereof, and moved that the consideration of the said resolution be postponed until the first Monday of January next. Lost. Ayes, 7 ; Noes, 17.

Ald. Bemis then moved that said resolution be laid on the table. Lost.

Ald. Bemis then moved that the subject matter of said resolution be referred to the City Attorney for one week.

Ald. Adams moved the previous question, which was ordered.

The question was then taken on the adoption of the said resolution, and pending the calling the ayes and noes thereon—

Ald. Bemis rose and stated that he should vote against the adoption of said resolution, for the reason that the Common Council had no power to authorize the contract contemplated to be made by the adoption of said resolution, not having made any estimate or provision therefor.

The vote on said resolution resulted as follows : Ayes, 17 ; Noes, 7.

The Chair decided that in compliance with the requirements of the City Charter a vote of three-fourths of all the members elected to the Council would be necessary to adopt said resolution, and therefore declared the same lost for want of such vote.

Ald. Stork appealed from the decision of the Chair. The decision of the Chair was not sustained. Aayes, 4: noes 19.

Also reported in favor of the adoption of the following resolution :

That the Fire Marshal, with the approval of the Fire Committee, be authorized to purchase six horses or less, for the use of the Fire Department, at an expense not to exceed $150 each.

Ald. Bemis objected to the adoption of the said resolution, for the reason that the Council had no power to authorize such purchase, not having made any estimate therefor or provision for the payment thereof.

Aid. Storck moved the previous question, which was ordered.

The question was then taken on the said resolution, and the same was adopted by the following vote. Ayes, 15 ; noes, 8.

Also reported in favor of the adoption of the following resolution :

KARL & CHAPIN,
420 ELLICOTT SQUARE

That the Fire Marshal with the approval of the Fire Committee, be authorized to contract for building one barn, similar to those already built for the Fire Department, at an expense not to exceed $400.

Ald. Bemis objected to the adoption of the said resolution, for the reason that the Council has no power to authorize such contract, not having made any estimate therefor.

Ald. Allen moved the previous question, which was ordered.

The question was then taken on the adoption of the said resolution, and pending the calling of the ayes and noes thereon.

Ald. Bemis rose and stated that he should vote against the adoption of the said resolution, for the reason that the Council had no power to authorize the contract therein referred to, not having made an estimate therefor.

The vote on said resolution was as follows: Ayes, 15; Noes, 9.

The chair decided that said resolution was lost for want of a vote of three fourths of all the Aldermen elected to the Council.

Ald. Adams appealed from the decision of the chair.

The decision of the Chair was not sustained. Ayes, 8; Noes, 15.

Also reported in favor of the adoption of the following:

That the Fire Marshal be directed to ascertain and report to this Council, on what terms a barn can be rented in the immediate vicinity of the Engine House formerly occupieg by Perry Engine Co. No. 7, or house formerly occupied by Live Oak Engine Co. No. 2.

Ald. Bemis moved to so amend said resolution that it direct the Fire Marshal to report what a barn can be rented for until the first of Janurry next. Lost. Ayes, 9; Noes, 15.

The said resolution was then adopted. Ayes 15; Noes 9.

Also reported in favor of the adoption of the following resolution:

That the Fire Marshal be authorized and directed to organize one or two Hose Companies, the same as those now organized in the paid department.

Ald. Adams moved that said resolution be adopted, and moved the previous question, which was ordered.

The question being on the adoption of the said resolution, and pending the calling of the Ayes and Noes thereon,

Ald Bemis rose and stated that he should vote against the adoption thereof, for the reason that the Council not having made any estimate or provision for the expenditure contemplated by said resolution, had no power to authorize such expenditure.

The said resolution was adopted by the following vote: Ayes 15; Noes 9.

Ald. Yaw, from the Committee on Fire, reported in favor of allowing the following accounts and of drawing orders for the same, viz:—

D. Kissock, for disbursements for Fire Department—$22 09.

William Taylor, for repairing hose for Fire Department—$19 50.

David Salters, for wood for steam fire engines—$14 06. Adopted.

Also reported in favor of the adoption of the following resolutions:

That an order for $24 be drawn in favor of Richard Exelby on the General Fund, 1861, Fire Department, being balance due on his contract for constructing a hose cart for the Fire Department. Adopted.

That the City Attorney be and he is hereby directed to prosecute Messrs. Vandenburgh & Chard for a violation, during the month of October last, of section 10, of chapter 2, of the Ordinances of the City of Buffalo, regulating the storing and keeping of gunpowder. Adopted.

That the Fire Marshal be and he is hereby directed to locate, with the approval of the Fire Committee, the first of the new steam fire engines proposed to be rented for the Fire Department, on Genesee street, in the house last occupied by Engine Co. No. 3, and the second in the house formerly occupied by Perry Engine Co. No. 7, on Perry street near Main street, or in Live Oak Engine Co. No. 2, on Elk street.

Ald. Storck offered the following as an amendment to the report offered by Ald. Yaw:

Resolved, That so much of the report as relates to locating one of the new steamers in the Engine House No 3, on Genesee street, be referred back to the Committee, with instructions to report a suitable location on Batavia street, where said Steam Engine should be placed.

Ald. Bemis moved that said report be referred back to the Committee on Fire for one week. Carried—Ayes 23; noes 1.

Ald. Beckwith moved that this Council now adjourn.—Lost.

Ald. Bemis then moved that the Council do now adjourn. Lost.

Ald. Dayton, from the Committee on Claims, reported in favor of allowing the following accounts and drawing orders for the same:

Clapp, Matthews & Waite, for printing City Ordinances in pamphlet form $310 50.

P. H Bender, for publishing Council proceedings in German paper, from June to October, $137 50. Adopted.

Ald. Mills, from the Committee on Police, reported in favor of allowing the following accounts, and of drawing orders for the same.

Frederick Haines, for repairing chairs for Police Department—$4 50.

Holly Allen, for tubs for Police Stations—$15 00.

Dan. B. Castle, for repairing clock at Chief of Police—$1 00.

B. Toles, for commitments to Penitentiary—$32 18.

Jas. VanValkenburgh, for commitments to Penitentiary—$25 18

C. Bull, for coal for Police Department—$15 87.—Adopted.

Ald. Goembel moved that the Council do now adjourn. Lost.

Ald. Storck, from the Committee on Markets, reported in favor of allowing the following accounts, and of drawing orders for same.

Wendt, Spick & Co., for salt for Clinton Market—$2 62.

Louis Baker, for brooms for the Markets—$5 00

Isaac Holloway, for repairing sewer, and relaying flagging at the Elk Street Market—$4 00. Adopted.

Ald. Dorr, from the Committee on Public Grounds reported in favor of the adoption of the following resolutions:

That an order for $6 26 be drawn in favor of Newman & Scoville, in full, for their account for halliards for the Liberty Pole. Adopted.

That the Comptroller be, and he is hereby authorized to procure a stove and pipe for the large main room of his department, at an expense including putting up the same, not exceeding $20. Adopted.

Ald. Adams, from the Committee on Public Lamps reported in favor of allowing the following account, and of drawino an order for the same:

James G. Turner, for lighting, &c., of Public Lamps, for the month of Oct., 1861—$386 82. Adopted.

Ald. Jones, from the Committee on License reported in favor of authorizing His Honor the Mayor, to issue a license to Martin Buchicker to sell fresh meat at his shop at the corner of Elm and Sycamore streets.

Ald. Beckwith moved to refer such report back to the Committee on License, for one week, and that the City Surveyor be directed to report the distance of said shop from the nearest public market, to be measured in accordance with the ordinances and resolutions of this Council.

Pending the discussion on the foregoing motion, the hour of 7 o'clock, P. M., arrived, and the Chair declared the Common Council adjourned until next Monday afternoon, December, 2d, 1861, at 2 o'clock.

O. F. PRESBREY,
City Clerk.

MINUTES No. 42.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Dec. 9th, 1861,
At 2 o'clock, P. M.

Present—Ald. Adams, Allen, Beckwith, Brush, Crowder, Dayton, Felton, Goembel, Grass, Hannovan, Hopkins, Jones, Palmer, Russell, Rutter, Savage, Scheu, Storck, Swartz, Walsh, Wheeler and Yaw.

Absent—Ald. Bemis, Dorr, Mills, Pratt and Walsh.

In the absence of the President, Ald. Storck was called to the Chair.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM HIS HONOR THE MAYOR.

MAYOR'S OFFICE,
BUFFALO, December 2, 1861.

To the Hon. Common Council:

GENTLEMEN—I have been served with summons to appear before the Superior Court of this city to answer to the complaint of Marion A. Strong. I have sent the summons to the City Attorney.

Respectfully,
F. A. ALBERGER, Mayor.

Ald. Adams moved that such communication be received and filed and the subject matter thereof referred to the City Attorney. Carried.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

GENTLEMEN—Mr. Samuel H. Freeman, of Albany, through his agents, Messrs. Paul & Mooney, has informed me that he has a tax title to part of outer lot 139, being 60 by 150 feet west side of Ellicott street, 262 feet north of Chippewa street, being on County Sale by the Treasurer in 1854, for non-payment of County Taxes for 1850 and 1851. Mr. Freeman proposes to release his claim to the city on the payment of $100. I recommend that the subject be referred to the Committee on Finance.

ALONZO TANNER, Comptroller.

Ald. Palmer moved that such communication be received and filed and the subject matter thereof referred to the Committee on Finance. Carried.

FROM THE CITY ATTORNEY.

I hereby report that in my opinion the interest on the awards made for property taken to straighten Niagara street, should be added to the assessment, and the whole amount of the awards and interest assessed upon the property benefitted by such improvement. Such interest should be computed from the expiration of one year after the report of the Commissioners was confirmed down to the time of ordering the assessment.

I further report that in my opinion the suit brought by the Buffalo & Hamburgh Turnpike Company against the City should be defended, and that I intend to move to set aside the injunction granted in said action, as soon as I can prepare the necessary affidavits.

GEORGE WADSWORTH,
City Attorney.

Filed, and subject matter referred to the Committee on Streets.

FROM THE STREET COMMISSIONER.

A. H. Giddings asks for a payment to apply on contract for constructing a sewer in Hickory street from the sewer in the centre of Clinton street, a point 100 feet southerly from William street:

Amount of said contracts is.....	$595 92
Amount paid on the same is.....	nothing
Amount of sewer laid, 400 feet, at $68 is.....	272 00
Amount proposed to be paid at this date is.....	200 00

And the undersigned recommend that orders be drawn on the local fund for the work, in favor of said Giddings, for the amount so proposed.

L. J. WATERS, Street Commissioner

Ald. Palmer moved that such communication be filed, and that orders be drawn as recommended. Carried.

FURTHER FROM THE STREET COMMISSIONER.

In consequence of grading and paving Huron street, between Morgan street and the New York State Reservation Line, the plank walk on both sides of Huron street, between the above points, have been taken up, and the plank was so much decayed that they were unfit for replacing, leaving nothing but mud to pass on; therefore the undersigned recommends that a new sidewalk superstructure be ordered without delay.

L. J. WATERS, Street Commissioner.

Referred to the Committee on Side and Crosswalks.

FURTHER FROM THE STREET COMMISSIONER.

In compliance with a resolution, passed October 7, 1861, the undersigned reports that he has examined the plank road on Genesee street, and finds repairs severally are needed in front of the following described lots of land and locations, to wit:

Lot on the northerly side of Genesee street, being 50 feet front and commencing 181 feet easterly from Jefferson street.

Lot on the northerly side of Genesee street, being 50 feet front and commencing 281 feet easterly from Jefferson street.

Lot on the northerly side of Genesee street, being 50 feet front and commencing 331 feet easterly from Jefferson street.

Lot on the northerly side of Genesee street, being 50 feet front and commencing 531 feet easterly from Jefferson street.

Lot on the northerly side of Genesee street, being 132 feet front, and commencing 30 feet easterly from Carlton street.

Lot on the northerly side of Genesee street, being 51 feet front, and commencing 81 feet easterly from Johnson street.

Lot on the northerly side of Genesee street, being 30 feet front, and commencing 132 feet easterly from Johnson street.

Lot on the northerly side of Genesee street, being 81 feet front, and commencing 162 feet easterly from Johnson street.

Lot on the northerly side of Genesee street, being 81 feet front, and commencing 243 feet easterly from Johnson street.

Lot on the northerly side of Genesee street, being 81 feet front, and commencing 162 feet easterly from Sherman street.

Lot on the northerly side of Genesee street, being 40 feet front, and commencing on the northeast corner of Herman street.

Lot on the northerly side of Genesee street, being 82 feet front, and commencing 80 feet easterly from Herman street.

Lot on the northerly side of Genesee street, being 85.80 feet front, commencing 162 feet easterly from Herman street.

Lot on the northerly side of Genesee street, being 268 40 feet front, and commencing 562.65 feet westerly from Walden street.

Lot on the northerly side of Genesee street, being 319 feet front, and commencing on the northwest corner of Walden street.

Lot on the northerly side of Genesee street, being 100 feet front, and commencing on the northeast corner of Walden street.

Lot on the southerly side of Genesee street, being 52.02 feet front, and commencing on the southeast corner of Jefferson street.

Lot on the southerly side of Genesee street, being 54 46 feet front, and commencing 265.07 feet easterly from Jefferson street.

Lot on the southerly side of Genesee street, being 54 45 feet front, and commencing 319 53 feet easterly from Jefferson street.

Lot on the southerly side of Genesee street, being 54 feet front, and commencing 243 feet westerly from Adams street.

Lot on the southerly side of Genesee street, being 54 feet front, and commencing 61 feet westerly from Adams street.

Lot on the southerly side of Genesee street, being 51.57 feet front, and commencing 51.57 feet easterly from Adams street.

Lot on the southerly side of Genesee street, being 40 feet front, and commencing 103.04 feet easterly from Adams street.

Lot on the southerly side of Genesee street, being 106 feet front, and commencing 143 feet easterly from Adams street.

Lot on the southerly side of Genesee street, being 68 feet front, and commencing on the southwest corner of Gray street.

Lot on the southerly side of Genesee street, being 75 feet front, and commencing on the easterly corner of Gray street.

Lot on the southerly side of Genesee street, being 25 feet front, and commencing 75 feet easterly from Gray street.

Lot on the southerly side of Genesee street, being 75.-71 feet front, and commencing 75.70 feet westerly from Johnson street.

Lot on the southerly side of Genesee street, being 27 feet front, and commencing on the westerly corner of Johnson street.

Lot on the southerly side of Genesee street, being 75.71 feet front, and commencing on the easterly corner of Johnson street.

Lot on the southerly side of Genesee street, being 75.-71 feet front, and commencing on the westerly corner of Sherman street.

Lot on the southerly side of Genesee street, being 75.-75 feet front, and commencing on the easterly corner of Sherman street.

Lot on the southerly side of Genesee street, being 75.-71 feet front, and commencing 152.03 feet easterly from Sherman street.

Lot on the southerly side of Genesee street being 75.-70 feet front, and commencing 227.74 feet easterly from Sherman street.

Lot on the southerly side of Genesee street, being 75.70 feet front, and commencing on the westerly corner of Herman street.

Lot on the southerly side of Genesee street, being 75.52 feet front, and commencing 75.53 feet easterly from Herman street.

Lot on the southerly side of Genesee street, being 459.-36 feet front, and commencing 151.06 feet easterly from Herman street.

Lot on the southerly side of Genesee street, being 320.-10 feet front, and commencing 610.42 feet easterly from Herman street.

Lot on the southerly side of Genesee street, being 234.-30 feet front, and commencing 1187.91 feet easterly from Sherman street.

Lot on the southerly side of Genesee street, being 83.10 feet front, and commencing 61.18 feet westerly from Walden street.

Lot on the southerly side of Genesee street, being 61.18 feet front, and commencing on the westerly corner of Walden street.

Lot on the southerly side of Genesee street, being 100 feet front, and commencing on the easterly corner of Walden street.

Across Johnson street, on the northerly side of Genesee street.

Across Herman street, on the northerly side of Genesee street.

Across Sherman street, on the northerly side of Genesee street.

Across Walden street, on the northerly side of Genesee street.

Across Jefferson street, on the northerly side of Genesee street.

Across Jefferson street, on the southerly side of Genesee street.

Across Herman street, on the southerly side of Genesee street.

Across Walden street, on the southerly side of Genesee street.

L. J. WATERS, Street Commissioner.

Referred to the Committee on New Territory.

FURTHER FROM THE STREET COMMISSIONER.

By a resolution of the Common Council, passed Oct. 14, 1861, the owners of land on the southerly side of Tracy street, between Delaware and Carolina streets were ordered to construct a stone sidewalk in front of their respective lots within 10 days, and if not done in that time the Street Commissioner was directed to report what portion remained undone.

In compliance with said resolution, the time having expired, the undersigned reports that he has examined the sidewalk on the southerly side of Tracy street, between Delaware and Carolina streets, and find some 300 feet remaining undone.

L. J. WATERS, Street Commissioner.

Referred to the Committee on Side and Crosswalks.

FURTHER FROM THE STREET COMMISSIONER.

James McGlinn, assignee of James Duffy, asks for a payment to apply on contract for constructing sewer in Breckenridge street from the easterly line of North Washington street to the Erie Canal.

Amount of said contract is $2,453 33.

Amount already paid on the same is $1,200 00.

Amount of work done and not paid for is $576 78.

Amount proposed to pay at this date is $450 00.

And the undersigned recommend that an order be drawn on the Local Fund for the improvement in favor of said McGlinn for the amount proposed.

L. J. WATERS, Street Commissioner.

Ald. Adams moved that such communication be filed and that orders be drawn as recommended. Carried.

FURTHER FROM THE STREET COMMISSIONER.

I beg leave to call your attention to the bridge across Slip No. 2 on River street, many of the iron rods are broken or bent, and unless attended to immediately there is great danger of the bridge falling.

L. J. WATERS, Street Commissioner.

Ald. Palmer moved that such communication be filed, and that the Street Commissioner be authorized to cause such repairs made to said bridge as may be necessary to save the same and prevent further damage. Carried.

FROM THE CITY SURVEYOR.

I submit herewith a report of the total amount of dredging done by Messrs. Dunbar & Strong, up to Dec. 9th, 1861:

AMOUNT DONE OUTSIDE THE NORTH PIER.

By W. R. Strong....2,025 cub y'ds at 25 cents	$ 506	25
By Thomas Dunbar.2,340 cub. y'ds at 25 cents	585	00
Total am't....4,365 cub.y'ds Total cost.	$1,091	25

AMOUNT DONE INSIDE THE NORTH PIER.

By W. R. Strong....1,640 cub. y'ds at 18 cents	$ 295	20
By Thomas Dunbar.2,889 cub. y'ds at 18 cents	520	02
Total am't...4,529 cub. y'ds Total cost.	$ 8 5	22

As the navigation is now about closed, I have considered it advisable to suspend all further operations for dredging the harbor and creek for this season.

By your order of October 21st, I was authorized to employ a suitable person to superintend the dredging at $1,50 per day. I selected Mr. Charles Thorn, one of the employees in my office, on account of his knowledge of the creek and harbor, he having assisted me in all the surveys and soundings I have made. I engaged to pay him $1.00 per day in consideration of the amount of extra hours that he must necessarily devote to it.

I would recommend, therefore, that an order be drawn in his favor for $30,00 for the above services.

PETER EMSLIE, City Surveyor.

Referred to the Committee on Wharves, Harbors and Ferries.

FROM THE SUPERINTENDENT OF SCHOOLS.

Messrs. Wesley Emmons and John Wild ask for an order in their favor for seven hundred dollars, ($700) in part payment on their contract for building a Primary School House in District No. 15. Messrs. Emmons and Wild have completed the brick and stone work, and a considerable portion of the wood work has also been done, in all to the amount of over $1000 in my judgement. I recommend that an order be drawn in their favor for seven hundred dollars ($700) chargeable to local fund of School District No. 15.

SANFORD B. HUNT, Superintendent of Schools.

Ald. Wheeler moved that such communication be received and filed, and that an order be drawn as recommended. Carried.

FROM THE FIRE MARSHAL.

BUFFALO, Dec. 23, 1861.

My attention has been called to a Theatre or Concert room now being fitted up in the Arcade Building. I would respectfully recommend that some competent persons be employed to examine that portion of the building, and report as to its perfect security with reference to its being used for the above named purpose. If it should be reported as perfectly secure, the good reputation of the building will not be injured, but if it should be reported as insecure, then it is due the public that it should be made safe beyond all contingencies.

D. KISSOCK, Fire Marshal.

Referred to the Committee on Fire.

The Fire Marshal also reported the amounts due to the employees of the Fire Department for services during the month of November. Filed and orders directed to be drawn.

The City Treasurer reported the amount due to the clerk employed in his office for services during the month of November. Filed and orders directed to be drawn.

FROM THE RECEIVER OF TAXES.

The time for collecting the general city taxes for 1861, will expire on the first of January (proximo) 1862. It will be necessary that suitable as well as sufficient help be provided to copy the several rolls of taxes which may

remain unpaid at that date, in order that the present incumbent of this office may be enabled to make a final settlement of his accounts with the Comptroller at as early a day as practicable. I therefore respectfully recommend that your honorable body authorize the employment of such help as may be requisite to perform such extra labor. For

MICHAEL WIEDRICH, Receiver of Taxes,
G. BAILEY.

Referred to the Committee on Finance.

The Clerk of the Markets reported the amounts due to the Porters to the several markets for services during the month of November. Filed and orders directed to be drawn.

The Chief of Police reported the amounts due the Captains of Police, Clerk and Policemen for services during the month of November, amount $2,080 80, also the amounts due to sundry persons for cleaning the several Police stations for same month, amount $30 00. Filed and orders directed to be drawn.

The City Clerk reported that at a meeting of the Board of Health, held Nov. 30, 1861, the following bills were audited by them, and referred to the Council for payment:

John Elliot for services as Health inspector for October and November, 1861—$91 50.

Geo. J. Rhel hart, for same—$91 50.

Wm. Miller for sundries for Pest House—$8 06. Filed and orders directed to be drawn.

The City Clerk also reported that the following named assessment rolls had remained on file in his office more than ten days, since the first publication of a notice in the city paper, that the same were so filed, and that persons interested therein might file applications for the correction of the same, and that no such applicaions had been filed with him, viz:

No.	Amount ordered by Common Council.	Amount added by Assessors.	Total amount of Assessment.
2549—For constructing a wood culvert across William street, near the watercourse between the New York Central Railroad and the Williamsville road	$7 07	$1 00	$8 07
2550—For reconstructing the wood culvert across Dearborn street between Austin and Farmer streets	13 45	1 40	14 85
2551—For constructing a wood culvert across Amherst street, about 100 feet easterly from Delaware street	5 65	1 35	7 00
2552—For reconstructing a wood culvert across Cherry street, at the intersection of Spring street	9 01	0 99	10 00
2553—For reconstructing the stone culvert across Steel street, on the easterly side of Main street	15 00	1 00	16 00
2554—For constructing a brick and stone culvert across Clinton street, at a ravine between Bend street and the New York Central Railroad	286 36	4 64	291 00
2555—For constructing a brick sewer in the center of Hamilton street, from the east curb line of Niagara street to the Erie Canal	215 90	2 10	218 00
2556—For taking up the wood sewer in Louisiana street, at and near the Main and Hamburgh street Canal, and relaying the same with brick and water lime cement, and extending said sewer on both sides of said canal through and connecting said sewer with the stone abutments for the bridge across said canal on Louisiana street	90 26	1 50	91 76
2557—For constructing a brick sewer in Maple street, from the termination of the present sewer in Maple street, to Virginia street (so called)	498 51	1 49	500 00
2558—For the purpose of paying for the building, furnishing and repairing of the school house and the building and furnishing the appurtenances thereto, in School District, No. 19	1500 00	5 00	1505 00
2559—For constructing a sewer and receiver at the southwest corner of Michigan and High streets	68 83	1 17	70 00
2560—For abating a nuisance on the ground fronting on the east side of Walnut street, being 27 feet front and rear by 106 feet deep, and commencing 155 feet south from Sycamore street	35 62	0 78	36 40
2561—For repairing and maintaining the public well and pump No 97, located on Eagle street, between Michigan and Union streets	112 00	2 00	114 00
2562—For repairing and maintaining the public well and pump No. 67, located at the southeast corner of Walnut and Sycamore streets	25 00	1 00	26 00
2563—For constructing a plank sidewalk on the westerly side of Oak street, between High and Carlton streets	32 80	0 80	33 60
2564—For repairing a sidewalk on the easterly side of Hudson street, between Niagara and Ninth streets	18 24	0 76	19 00

2565—For repairing a sidewalk on the southerly side of Genesee street, between Mortimer and Jefferson streets	5 28	0 72	6 00
2566—For repairing the crosswalk across Locust street, on the northerly side of Cherry street	8 00	1 50	9 50
2567—For repairing the stone crosswalk across Swan street on the westerly side of Elm street	20 00	1 00	21 00
2568—For repairing Alabama st., between Seneca and Exchange streets	29 99	1 01	31 00

The following was received from the City Attorney:

To the Honorable the Common Council of the City of Buffalo:

I hereby report that I have examined an abstract of the proceedings of your honorable body relating to Assessment Rolls from No. 2549 to No. 2569 both inclusive, and am of the opinion that said proceedings have been regular and in accordance with the provisions of the Charter.

GEORGE WADSWORTH,
City Attorney.

Received and filed.

Ald. Swartz moved that the several Assessment Rolls named in the foregoing communication from the City Clerk be confirmed, and that orders be drawn in favor of the Comptroller to pay the expense of printing. Carried.

The City Clerk also reported that the following named assessment roll had remained on file in his office more than ten days since the first publication of a notice in the city paper, that the same was so filed, and that Jesse Ketchum and another had filed an application for the correction of the same, viz:

2569—For the purpose of paying the just compensation awarded to the owners of the land and property taken to lay out Carlton street, from Main street to Genesee street, together with the costs and expenses of the ascertainment—$3.573 67.

Ald. Palmer moved that the time for the consideration of, and the hearing of parties interested in said Roll, be fixed for two weeks from to-day. Carried.

The City Clerk also reported that the time for the consideration of, and the hearing of parties interested in assessment roll No. 2538,—For repairing and maintaining the two bridges across Evans Ship Canal on Erie and Water streets, $1,002 00, had been fixed for Monday, December 2, 1861, but that in consequence of the failure of the Common Council to meet on that day, it would be necessary to take further action in the matter.

Ald. Palmer moved that the time for the consideration of said assessment, and the hearing of parties interested therein, be fixed one week from to-day. Carried.

Assessment roll No. 2398,—for widening, straightening and enlarging Buffalo Creek, at the Toll Bridge on Ohio street, by excavating a channel on the northerly side of said creek, amount $5,935 00, the time for the further consideration of which had been postponed until to-day, was taken up.

Ald Palmer moved that the time for the consideration of, and the hearing of parties interested in said roll be fixed for one week from to-day. Carried.

The written resignation of C. C. Bristol of the office of Commissioner of Deeds in and for the city of Buffalo, was presented. Filed and resignation accepted.

Ald. Adams moved that George W. Vining be appointed a Commissioner of Deeds to fill the vacancy occasioned by the resignation of C. C. Bristol. Carried.

The following was received:

To the Hon. the Common Council of the City of Buffalo:

GENTLEMEN—I hereby respectfully resign my position as a member of the Union Defence Committee.

Respectfully, JAMES ADAMS.

BUFFALO, Dec. 9, 1861.

Filed and resignation accepted.

The Chair appointed Ald. Hopkins as a member of the Union Defence Committee, in place of Ald. Adams, resigned.

Ald Felton by unanimous consent, offered the following resolutions:

That the owners of land on the northerly side of Pennsylvania street, between Sixth and Seventh streets, cause a sidewalk to be repaired in front of their respective lots, by substituting good hemlock plank, 3 inches thick, where necessary, within two days, and if not done in that time, that the Street Commissioner cause the same to be done at an expense not exceeding $4, and report. Adopted.

That the owners of land on the southerly side of Pennsylvania street, between Sixth and Seventh streets, cause a sidewalk to be repaired in front of their respective lots, by substituting good new hemlock plank, 3 inches thick, where necessary, within two days, and if not done in that time that the Street Commissioner cause the same to be done at an expense not exceeding $4, and report. Adopted.

PETITIONS.

Of J. White Williams, for a declaration of sale on lot on the north side of North Division street, lying 291 feet east of Grosvenor street, being 65 feet front by 118 deep.

Of Jacob Persch, to have monies paid on erroneous tax, refunded.

Of Casper Blieler, to have personal tax refunded. Referred to the Committee on Finance.

Of St. Vincent Female Orphan Asylum, for apportionment of School monies. Referred to Committee on Finance and City Attorney.

Of Henry Murray, for permission to raise rear of house No. 264, Seneca street Referred to Committee on Fire.

Of John Coatsworth, to be paid for work done in abating nuisance. Referred to Committee on Sanitary Measures.

Of Z G. Allen, for fireman's certificate.

Of Henry Swartz, for same.

Of Daniel Bergtold, for same.

Of Geo. W. Gilman, for duplicate fireman's certificate. Referred to the City Clerk with power.

Petition of John A Lipp, for permission to erect a wooden shop at the corner of Elm and Batavia streets, for the purpose of cutting stone.

Ald. Goembel moved that the prayer of said petition be granted, under the direction of the Fire Marshal, and subject to the further order of this Council. Carried. Ayes, 16; Noes, 0.

Petition of Isaac Jamison for permission to erect a frame barn, 14 by 18 feet and 16 feet high, on his lot on Tupper street, between Carolina and Virginia streets.

Ald. Yaw moved that the prayer of the said petition be granted, under the direction of the Fire Marshal and subject to the further order of this Council. Carried. Ayes, 17; Noes, 0.

Petition of R. R. Brown, for permission to erect a wooden addition to his dwelling house No. 117 Sixth street, said addition to be 16 by 20 feet.

Ald. Yaw moved that the prayer of the said petition be granted, under the direction of the Fire Marshal and subject to the further order of this Council. Carried. Ayes, 18; Noes, 0.

Petition of Vanderburgh & Chard to be relieved from further prosecution.

Whereupon, Ald. Yaw offered the following resolution:

Resolved, That the resolution passed at the last meeting of this Council, directing the City Attorney to prosecute Messrs. Vandenburgh & Chard, be and is hereby repealed. Adopted. Ayes, 19; Noes, 1.

Petition of N. Ottenott and others, that the centre point of the market buildings be designated as the point to measure 1000 feet from, outside of which fresh meats can be sold.

Ald. Adams moved that the prayer of the said petition be granted, and that distances be hereafter measured from the center of the several markets.

Ald. Allen moved as an amendment that said petition be referred to the Committee on License. Carried. Ayes, 13; Noes 7.

Petition of Joshua H. Lee for the release of Michael Fitzpatrick, from confinement in the Erie County Penitentiary.

Ald. Adams moved that the prayer of the said petition be granted. Carried. Ayes, 21; Noes, 0.

ACCOUNTS REFERRED.

Horace Utley, assignee of D. Tillinghast, for fees, &c., as Clerk Superior Court. Referred to Committee on Finance.

Breed, Butler & Co., (23) for Library Books for sundry shools.

Same for inkstands, &c., for sundry schools.

Wesley Emmons (4) for work and material for sundry schools.

Felthousen & Russell, for work and material for sundry schools.

Lewis R. Keyes, for repairing Clocks for sundry schools.

P. E. Brown, for money paid cleaning school No. 30.

Richard Benstead, for repairs on school house No. 33.

W. W. Newman, for sundries for school. Referred to Committee on Schools.

William Mensch, for carting dirt, &c., from paved streets.

John Drexler, for cleaning North and Main streets, on the southeast corner.

George Miller, for repairing Lloyd street.

Philip Shaw, for cleaning streets, &c.

Geo Fisher, for same.

John Erb, for same. Referred to Committee on Streets.

John Wannop, for repairing sewer and receiver north side South Division street, between Cedar and Hickory.

Same, for repairing sewer in Pearl street, 165 feet north from Seneca street.

Same, for repairing the sewer in Union street near Eagle. Referred to Committee on Sewers.

W. I. Williams, for constructing sidewalk on the easterly side of Washington street, between Carlton and Virginia street (so called).

Same, for repairing sidewalk on the easterly side of Main street, between Virginia street (so called) and Carlton street.

Same, for repairing sidewalk on the southerly side of Delaware Place.

Same for reconstructing crosswalk across Morgan st., on southerly side of Edward.

Laurens Williams, for repairing crosswalk across Miami street, on the easterly side of Chicago street.

Same, for repairing crosswalk across Mackinaw street, on the easterly side of Chicago street.

James Comer, for services in Treasurer's office.

R. W. Johnson, for copying Street Railroad Records.

John Derr, for stone for Jubilee Water Works.

John D. Smith, for services as Inspector of Election.

Jacob Heimenz, for same.

H. H. Griffen, for services as Poll Clerk.

John J. Gardner, for same.

Edward Partridge, for same.

Andrew Johnson, for same.

Adam Wick, for same.

James Sullivan, for use of room for election purposes.

Joseph Blaser, for same. Referred to Committee on Claims.

Frederick Hanes, for policeman's clubs.

A. Jones, for commitments to Penitentiary.

John O. Hopkins, for same.

Breed, Butler & Co, for stationery for Police office.

Felthousen & Russell, for sundries for Police Department.

S. S. Bame, for labor and materials for Police Department.

William Ring, for medical attendance for Police Department.

C. C. F. Gay, for same. Referred to Committee on Police.

Jacob Bautz, for repairs to Elk Street Markets.

Jas. G. Turner, for setting glass for Markets.

Kellogg & Bonnel, for shovel for Markets.

Breed, Butler & Co., for stationery for Clerk of Markets.

C Bauer, for stove, pipe, &c., for Clinton Market.

I V. Vanderpoel, for defending suit against City. Referred to Committee on Markets.

Richard Paul, for cutting and pruning trees on Franklin Square.

Same, for cutting and pruning trees in Court House Park. Referred to Committee on Public Grounds.

Same, for repairing crosswalk across Red Jacket street on the southerly side of Perry street.

Same, for constructing crosswalk across Grosvenor street on the easterly side of North Division street.

Same, for constructing crosswalk across Eagle street, on the westerly side of Cedar street. Referred to Committee on Side and Crosswalks.

M. Gardner, for straw for packing hydrants.

Breed, Butler & Co., for stationery for Fire Department.

Geo. B. Bull & Co., for sundries for Fire Department.

Bangasser Bro., for same.

Felthousen & Russell, for same.

W. I. Williams, for same.

D. C. Weed & Co., for same.

J. H. Carpenter, for same.

Thomas B French, for sundry repairs for same.

Henry King for repairing hose for same.

George Peugeot, for lantern for same.

E. O. Marsh, for feed for same.

E. B. Lyman, for sundries for same.

H S. Chamberlaine, for repairs for same. Referred to Committee on Fire.

John Gisel, for repairing pump on Elm street, between Clinton and Vine streets.

Breed, Butler & Co., (8 ac'ts,) for sundries for various city offices.

Felthousen & Russell, for sundries for election purposes, &c.

S. A. Presbrey, for copying death records.

G. P. Stevenson & Co , for livery for Assessors.

J. S. Leavett, (2 ac'ts,) for stationery for Clerk of Superior Court, &c.

Cheeseman & Dodge, for livery for election purposes.

Hiram Atwood, for disbursements for city offices.

Irr & Irbacker for sundries for same.

Elijah Wells, for amount paid for cleaning same.

Harriet Atwood for cleaning same.

Alonzo Tanner, for disbursements for same.

G D. Teller, for frame for picture in Council Chamber.

Otis F. Presbrey, for revising and compiling City Charter.

James G. Turner, for lighting, &c., public lamps.

Buffalo Gas Light Company, for gas for public lamps. Referred to Committee on Public Lamps.

Isaac Holloway, for repairing Amherst street, between Military road and Tonawanda street.

Same, for repairing Amherst street, between Military road and State ditch.

Same, for repairing Amherst street, from Niagara to Tonawanda street.

Lauren Williams, for repairing Abbott road, between Elk street and B., N. Y. & E. R. R.

Same, for repairing wood culvert across Smith street, between Abbott road and Elk street.

Jacob Wolfer, for repairing Williamsville road, between Delavan Avenue and plank road.

George Miller, for repairing Walden street, near the northerly line of Genesee street.

E. P. Taintor, for repairing Abbott road, between Elk street and N. Y. & E R. R.

E. A. Holbrook, for repairing Abbott road, between Elk street and N. Y. & E. R. R.

John Campbell, for repairing culvert across Mason street, between Auburn Avenue and Breckinridge street. Referred to Committee on New Territory.

Samuel Green, for services as Keeper of Prospect Hill Parks. Referred to Special Committee on Prospect Hill Parks.

ACCOUNTS ALLOWED.

John B. Sewell, for services as Street Inspector for November—$82 50.

F C. Schmelzer, for same—$82 50.

Charles Broshard, for same—$82 50.

John Drexler, for same—$82 50.

Jacob Sohn, for same—$82 50.

REPORTS OF COMMITTEES.

Ald. Hopkins from the Committee on Finance reported in favor of the adoption of the following resolutions:

That upon filing with the Comptroller the following named petitions, together with the proofs accompanying the same, the said Comptroller be directed to issue a declaration of sale to the persons, and upon each of the certificates, as hereinafter mentioned in the form prescribed by the Charter, viz:

Of John T. Tilley, for a declaration of sale on tax certificate No. 2567 of sale of June 1st, 1859, of lot on the northwest side of Carolina street, part of block No. 87, lying 25 feet northeast of Fourth street being 61 feet front by 84 feet deep.

Same, for same on tax certificate No. 2675—of same sale—of lot on the southwest side of Fourth street, part of block No. 100, lying on southerly corner of Jersey street, being 63½ feet front by 69 feet deep.

Same, for same on certificate No. 2691—of same sale—of lot on the northeast side of Fifth street, part of block No. 24, lying 202 feet northwest of Georgia street, being 25 feet front by 100 feet deep.

Of John T. Tilley, for same on tax certificate No. 4277—of same sale—of lot on the northeast side of Vermont street, part of block No. 158, lying on the easterly corner of Fourteenth street, being 49 feet front by 100 feet deep.

Of Michael Messmer, for same, on tax certificate No. 581, of sale of June 1st, 1860, of lot on the south side of Eagle street, part of outer lot No. 104, lying 251 feet west of Pine street, being 155 10-100 feet front by 128 feet deep. Adopted.

That John T. Tilley have leave to withdraw the petitions, together with the papers, accompanying the same, in which he asks for a declaration of sale upon each of the following tax certificates, viz:

No. 728 of the sale of June 1st, 1859.

No. 3190 of the same sale.

No. 3672, of the same sale. Adopted.

That the recommendation of the Receiver of Taxes, that the resolution adopted January 28, 1856, directing him to notify parties indebted for taxes, through the Post Office, be rescinded, be and the same is hereby denied. Adopted.

Ald. Wheeler, from the Committee on Schools, reported in favor of the adoption of the following resolution:

That the Superintendent of Schools, together with the Chairman of the Committee on Schools, be and they are hereby authorized to agree with Mr. O'Brian upon some reasonable compensation to be paid to him for storage of the desks in the house on Carroll street, and that upon the making of such agreement the said Superintendent and Chairman be authorized to cause such desks to be placed in such of the public school houses as they may deem proper. Adopted.

Also in favor of allowing the following accounts, and of drawing orders for the same:

Theodore Butler, for library books for schools—$4 50.

E. T. Benedict, for sawing wood for school No. 5.—$1 97.

Homer & Co., for sundries for Central School.—$2 25.

Peter Burgard, for wood for schools.—$454 42.—Adopted.

Also in favor of the adoption of the following resolution:

That Wm. C. Fitch be and he is hereby appointed a Commissioner of Deeds in and for the City of Buffalo.—Adopted.

Ald. Palmer, from the Committee on Streets, reported in favor of the adoption of the following resolutions:

That the Common Council of the City of Buffalo intend to take and appropriate the land and property necessary to lay out and open a public street, sixty-six (66) feet wide, from the southerly line of High street to the northerly line of Cherry street, said street to be know as Peach street, and the westerly line thereof to run parallel with the easterly line of Locust street, and seven hundred and thirty-two (732) feet easterly at right angles therefrom, and the easterly line of said street to run parallel with said westerly line, and sixty-six (66) feet easterly therefrom; and that the City Clerk cause the necessry notice of such intention to be published in twenty successive numbers of the city paper. Adopted.

That an order be drawn in favor of Alfred D. Morton for twenty dollars, in full of his account for repairing Carroll street, between Louisiana and Alabama streets in November, 1861. Adopted.

That the city Assessors assess $26 75 for repairing Washington street between Seneca and Swan streets. Adopted.

That the sums to be assessed for the local fund expenditure in the year 1860, be and is hereby determined to be as hereinafter specified, and that the City Assessors be and they are hereby directed to make an assessment of said sums upon the property severally benefited by the various improvements hereinafter named, as provided by section 28 of title 5, of the Revised City Charter, as follows, to wit:

IMPROVEMENTS AND SUMS TO BE ASSESSED THEREFOR.

For repairing sewer and receiver at the north-east corner of Franklin and Edward sts..	$20 31
For repairing plank crosswalk across Court street, on the north-east side of Fourth street	8 00
For repairing the gutter on the easterly side of Canal street, commencing at a point 30 feet westerly from Evans street, and running westerly therefrom 50 feet	12 00
For repairing sewer and receiver at the south-west corner of Elm and North Division streets	13 83
For repairing plank crosswalk across Ellner street, on the southeast side of Carolina street	5 28
For repairing plank crosswalk across Fourth street on the north-west side of Georgia street	4 00
For constructing a plank crosswalk across Washington street, on the northerly side of Carlton street	4 08
For repairing Mackinaw street, at the westerly side of Hamburgh street	20 00
For repairing plank crosswalk across Seventh street, on the north west side of Maryland streets	6 88
For constructing a plank crosswalk across Cypress street on the easterly side of Michigan street	5 92
For constructing plank crosswalk across Mill street, on the easterly side of Van Rensselear street	2 16
For constructing plank crosswalk across Cedar street, on the north side of William street	6 32
For plank crosswalk across Alabama street, on the north side of Carroll street	6 28
For repairing the northeasterly side of Canal street, from the southerly line of Erie street to a point 300 feet southerly therefrom	20 00
	$135 06

Adopted.

Ald. Brush from the Committee on Sewers reported in favor of the adoption of the following resolution:

That the Common Council of the City of Buffalo intend to order a brick sewer constructed two feet diameter in the clear, in the center of Edward street; from a point 458½ feet westerly from Delaware street to the center of Delaware street, thence southerly along the center of Delaware street to the northerly termination of the present sewer in Delaware street, a point 97 feet southerly from the center of Edward street, and that the city Clerk is hereby directed to cause the necessary notice of such intention to be published in the city paper. Adopted.

Ald. Yaw, from the Committee on Fire, reported in favor of the adoption of the following resolution:

That an order for $74 84 be drawn on the General Fund 1860, Fire Department, in favor of the Comptroller, and that the said Comptroller be directed to deposit the amount of said order to the credit of the General Fund 1861, Fire Department. Adopted.

Also, reported in favor of allowing the following accounts and of drawing orders for the same:

Elder & Stearns, for sundries for Fire Department—$10 36.

Hollister & Laverack, for same, charged at $1 73, allowed at—$1 64.

Alonzo Griggs, for one horse for Fire Department—$115.

Farnham & Hodge, for coal for Fire Department—$68 Adopted.

Also, reported in favor of the adoption of the following:

That the Fire Marshal be and he is hereby directed to locate, with the approval of the Fire Committee, the first of the new steam fire engines proposed to be rented for the Fire Department, on Genesee street, in the house last occupied by Engine Co. No. 3 and the second in the house formerly occupied by Perry Engine Co. No. 7, on Perry street, near Main street, or in the house of Live Oak Engine Co. No. 2, on Elk street.

Ald. Storck moved to amend said report so that one of said engines be located at the Engine House on Batavia street, instead of on Genesee street. Lost. Ayes, 4; Noes, 17. And the report was then adopted.

That permission be and is hereby granted to Henry Murray to erect a wooden barn on the north side of Seneca street, in rear of No. 264, the west side of said barn to be 19 feet from the west line of his lot, such barn to be 20 by 24 feet, and 1½ stories high, and to be built within three months, under the direction of the Fire Marshall and subject to the further order of this Council. Adopted. Ayes. 22: Noes, 0.

Ald. Jones, from the Committee on Water, reported in favor of the adoption of the following resolution:

That it is hereby ordered that a public well be constructed at or near the corner of Peacock and Evans streets at an expense not exceeding $350, and that the Street Commissioner report the entire expense of constructing the same to this Council. Adopted. Ayes, 22; Noes, 0.

Ald. Dayton, from the Committee on Claims, reported in favor of allowing the following accounts, and of drawing orders for same:

Wm. F. Robinson, for services as Inspector of Election, 1st district, 1st ward—$3.
Peter Keena, Jr., for same—$6.
John McManus, for same—$3.
Otis B. Howe, for same—$6.
Thos. Edmonds, for same—$9.
James Lanegan, for same, 2d district, 1st ward, (charged at $9) allowed at $7 50.
C. H. Ohlmer, for same—$12 50.
W. W. Stanard, for same, 3d district, 1st ward—$9.
Truman H. Warner, for same—$9.
Thos. M. Knight, for same—$9.
Hugh Webster, for same, 1st district, 2d ward—$9.
George Whitcomb, for same—$9.
George W. Scott, for same, and amount paid Poll Clerk —$10 50.
Amos Morgan, for services as Inspector of Election, 2d district, 2d ward—$6.
Charles J. Hubbard, for same (charged at $9 60) allowed at $9.
Wm. H. Blodgett, for same—$9.
C. C. Bristol, for same, 3d district, 2d ward—$6.
John Cook, for same—$3.
J. A. Rathbone, for same—$9.
Samuel Haines, for same—$9.
Geo. A. Albro, for same, 1st district, 3d ward, allowed at $9.
Riley Saunders, for same, allowed at $9.
R. W. Ransom, for same, allowed at $9.
Norman Hagerman, for same, 2d district, 3d ward—$9.
John B. Storck, for same, allowed at $9.
Robert W Voss, for same—$9.
Jacob Weil, for same, 1st district, 4th ward—$9.
W. H. Smith, for same—$9.
Benj. Vomberge, for same—$9.
George F. Monnier, for same, 2d district, 4th ward—$9.
C. Bronner, Jr., for same—$9.
L. P. Adolf, for same—$9.
Jacob Williams, for same, 3d district, 4th ward—$9.
John Fleming, for same—$9.
Henry L. Schæfer, for same—$9.
Christop Benzinger, for same, 1st district 5th ward—$6.
Wm. F. Beaman, for same—$18.
Joseph Herrmann, for same, allowed at—$7 50.
Valentine Young, for same 2d district, allowed at—$9.
Casper Retel, for same, allowed at—$10 50.
John J Liebler, for same, allowed at—$10 50.
Philip Pfeil, for same, 3d district—$9.
J L. Schmidt, for same, allowed at $10 50.
John E. Altenborg, for same, allowed at—$10 50.
Francis Smale, for same, 1st district 6th ward—$10 50.
John R. Waters, for same—$10 50.
Chas. Wesher, Jr., for same—$6.
P. H Wagner, for same 2d district, allowed at—$6
John Stengle. for same, allowed at—$9.
Michael Beck, for same, allowed at—$9.
Joseph Zoog, for same, 1st district 7th ward—$9.
G. F. Pfeifer, for same—$9.
Benj H. Williams, for same—$3.
L. F. Bissell, for same, 2d district—$6.
Peter Frank, for same—$9.
Philip Scheu, for same—$9.
E. C. Schmelzer, for same, 3d district—$9.
Ernst Neitman, for same—$9.
Chas. H. Emerick, for same—$9.
Hamilton Courter, for same, 1st district 8th ward—$9.
G. H. McCrary, for same—$9
D M. Enright, for same, 2d district—$6.
Michael Carroll, for same—$3.
H. S. Cunningham, for same—$9.
M. P. Wellman, Jr, for same—$9.
Geo. W. Vining, for same 1st district 9th ward—$10 50.
R. Wheeler, for same—$9.
William Boggis, for same—$9.
John W. Kenney, for same 1st district 10th ward, allowed at—$9.
Edward W. Palmer, for same, allowed at—$9.
D. H. Wiswell, for same, allowed at—$9.
David F. Day, for same 2d district, allowed at—$9.
Watkins Williams, for same, allowed at—$9.
Hiram C. White, for same, allowed at—7 50.
Henry Tanner, for same, 1st district 11th Ward—$6.
William Hodge, for same—$6 75.
Lyman B. Smith, for same—$6.
Casper Hoffmeyer, for same, 2d district—$9.
A. H. Thompson, for same—$9.
Nelson Vanderlip, for same—$9.
A. H. Blossom, for same, 1st district 12th Ward—$9.
Wm. Post, for same—$9.
John Druar, for same—$9.
Henry E. Allen, for same, 2d district—$7 50.
Samuel Ely, for same—$7 50.
Hanan Colvin, for same—$7 50.
H. A. Buffam, for same, 13th Ward—$7 50.
Jacob Faber, for same—$7 50.
James M. Galloway, for same, allowed at—7 50.
Thomas J Edmonds, for services as Poll Clerk, 1st district 1st Ward—$16 50.
Wm. H. Livingstone, for same—$3.
John D. Lonergan, for same, 2d district—$13 50.
John Masters, for same, 3d district—$3.
O. B. Woodward, for same—$3.
John Fogarty, for same—$12.
F. S. Ellis, for same, 1st district 2d Ward—$9.
M. T. Humphrey, for same, 2d district—$3.
P. D. K. Saunders, for same, 1st district 31 Ward, allowed at—$12.
H. B. McCulloch, for same, allowed at—$3.
Robert Bourzutschky, for same, 2d district—$9.
Wm. N. Barnes, for same—$3.

H. Schuyler Ross, for same, 1st district 4th Ward—$12.
Charles L. Lockwood, for same—$3.
Ph. G. Lorenz, for same, 2d district—$12.
P. J. Watts, for same—$3.
J. P. Loerech, for same, 3d district—$9.
Thomas W. Fleming, for same—$3.

Joseph O Meyer, for same, 1st district 5th Ward, allowed at—$3.
James Peacock, for same, allowed at—$3.
Constantine Stockman, for same, allowed at—6.$
Peter Recktenwalt, for same, allowed at—$12.
Peter Britz, Jr., for same, 3d district—$3.
Henry J. Warren, for same—$9.

Christopher Meisel, for same as Poll Clerk, 1st Distict, 6th Ward—$3.

Deibold Walter, for same—$12.
G. Keppler, for same 2d district, allowed at—$9.
P Hoffman, for same, 1st district, 7th ward—$3.
W. C Zimmerman, for same—$12.
Henry A. Bettis, for same, 2d district—$3.
August F. Sparfeld, for same—$12.
J. D. A. Pohle for same, 3d district—$3.
John P. Elnsfeld, for same—$12.
Wm. K Dow, for same, 2d district, 8th ward—$13 50.
O. J. Swegles, for same—$3.
E. R. Harrington, for same, 1st district, 9th ward—$3.
E. O. Salisbury, for same—$13 50.
Albert Hosmer, for same, 2d district, allowed at—$3.
Joseph A. Barton, for same, 1st district, 10th ward—10 50.

Geo. F. Hayward, for same—$3.
James Inglis, for same, 2d district—$15.
Alonzo T. Baily, for same $3.
Lyman D. Hodge, for same, 1st district, 11th ward—$3.
Frank D. Todridg, for same—$6.
Henry L. Vanderlip, for same, 2d district—$7 50.
John E. Hart, for same—$9.
Wm. Holley, for same, 1st district, 12th ward—$9.
Henry A Safford, for same—$3.
Samuel Ely, Jr., for same, 2d district—$7 50.
Chauncey Jemison, for same, 13th ward—$7 50.
John O'Hara, for use of room for election purposes, 3d district, 2d ward, allowed at $7 50.

Henry Jackson, for same, 2d district, 3d ward—$7 50.
C. Paul Wertsch, for same, 2d district, 4th ward—$7 50.

Peter Weller, for same, 3d district—$7 50.
Jacob Wolf, for same, 2d district, 5th ward—$7 50.
Caspar Schaefer, 3d district—$7 50.
John Misho, for same, 1st district, 6th ward, allowed at $7 50.

Francis Winter, for same, 1st district, 7th ward, allowed at $7 50.

Martin Frank, for same, 2d district, allowed at $7 50.
Jacob Jahrans, for same, 3d district—$7 50.
John Rohr, for use of room for election purposes, 1st district 8th ward—$7 50.

Jacob Sohn, for same; 2nd district 9th ward—$7 50.
Mrs. Friedman, for same, 2nd district 12th ward—$7 50.

C. Hussong, for same, 13th ward—$7 50.

George Dakin, for coal for City Offices and Fire Department, allowed at—$177 70.

Michael Weidrich, for disbursements—$25 00.
Hollister & Laverack, for brooms &c., for City Buildings—$6 85. Adopted.

Ald. Storck, from the Committee on Police, reported in favor of the adoption of the following resolutions:

That the City Attorney be and he is hereby directed to cancel a fine imposed on Mrs. Eleanor Johnson by Justice Shattuck on the 20th of September last, for a violation of the city ordinances. Adopted. Ayes, 21; Noes, 1.

That the City Attorney be and he is hereby directed to act as council for Patrick Boyle and Sherman B. Burns, in a suit brought against them by Patrick Monahan and wife. Adopted. Ayes, 19; Noes, 0.

Also, in favor of allowing the following accounts, and of drawing orders for same:

D. S. Reynolds, for commitments to Penitentiary, $21 75.

Hollister & Laverack, for sundries for Police Department—$19 28. Adopted.

Ald. Allen, from the Committee on Wharves, Harbors, and Ferries, reported in favor of allowing the following accounts, and of drawing orders for same:

C. L. Gager, for removing snags from Buffalo Creek—$10.

B. Potter, for same—$2. Adopted.

Ald. Adams, from the Committee on Public Lamps, reported in favor of allowing the following accounts, and of drawing orders for same:

J. G. Turner, for lighting, &c., public lamps for month of November—$387.

Buffalo Gas Light Company, for gas for public lamps for November—$3,180 24

Same, for setting lamp posts, &c.—$170 50. Adopted.

Also in favor of the adoption of the following resolutions:

That the Lamp District be extended on both sides of Delaware place, from Delaware street to a point four hundred and thirty-eight (438) feet westerly from said Delaware street, and the Committee cause service-pipe and lamp-posts and lamps to be set in said District. Adopted. Ayes, 19; Noes, 0.

That the Lamp District be extended on both sides of Elm street, from Batavia street to Sycamore street, and that the Committee cause service-pipe and lamp-posts to be set in said District. Adopted. Ayes, 20; Noes, 0.

That the amount of expenses to be assessed for the improvement of setting lamp posts, laying service-pipe, furnishing lamps, &c., for the extended lamp districts for 1861, be, and is hereby determined to be three hundred and fifty-six dollars, and for defraying the expenses of gas consumed, lighting the lamps, &c., in said extended lamp districts, from the time said lamps were lighted to April 1st, 1862, be, and is hereby determined to be one hundred and thirty-nine dollars, and the City Assessors are hereby ordered to assess the said sums of three hundred and fifty-six dollars, and one hundred and thirty-nine dollars, upon the real estate in the City of Buffalo, benefitted by such extension and improvement, as per the following:

STATEMENT of Expenses of Lamp District Extension for 1861:

	Lamp Posts setting, &c.	Gas Lighting, &c.
1—Bowery street, between Allen and North streets, 3 lamps.....	$ 80 00	$46 00
2—Bryant street and Linwood avenue, 4 lamps.....	128 00	61 00
3—Rock Street, from Genesee st., to the Elevator, 3 lamps.....	86 00	32 00
4—Elm street, between Swan and South Division streets, 1 lamp.	62 00	
Adopted.	$356 00	$139 00

That the Committee on public lamps be and are hereby directed to cause to be set one public lamp, on the south east corner of Michigan and Exchange streets. Adopted.

Ald. Russell, from the Committee on License, reported in favor of authorizing the Mayor to issue licenses to the following named persons, upon the terms and conditions prescribed by the ordinances.

W. W. Tiffany, to peddle fresh meat inside city limits by the quarter.

Thos. Deacon, for same.

Henry Schroeder, for same.

Frank Pickard, Jr., for same. Adopted.

Ald. Crowder, from the Committee on New Territory, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause the wood culvert across Jersey street, on the northeasterly side of seventh street, to be repaired, at an expense not exceeding $4, and report. Adopted.

That the Street Commissioner cause the wood culvert across Delaware street, about 800 feet northerly from Bird street, to be repaired, at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause a wood culvert to be constructed across Farmer street on the easterly side of Niagara street, at an expense not exceeding $10, and report. Adopted.

That the Street Commissioner cause the crosswalk across Vermont street, on the northeast side of Ninth street, to be repaired, at an expense not exceeding $8, and report. Adopted.

That the Street Commissioner cause the wood culvert across Clinton Avenue, on the easterly side of North Washington street to be repaired, at an expense not exceeding $8, and report. Adopted.

That the owners of land on the northerly side of Barker street, between a point 478½ feet westerly from Main street and a point 95 feet westerly therefrom, cause a sidewalk to be repaired in front of their respective lots, by filling the same to the established grade, and substituting new hemlock plank three inches thick where necessary, within five days, and if not done in that time that the Street Commissioner cause the same to be done at an expense not exceeding $50, and report. Adopted.

That the owners of land on the southeast side of Arkansas street, between North Adams and Barton streets, cause a sidewalk to be constructed in front of their respective lots three feet wide of Pine plank two inches thick, and to be laid on a uniform grade, within 10 days, and if not done in that time that the Street Commissioner cause the same to be done at an expense not exceeding $40, and report. Adopted.

That the Street Commissioner cause Smith street to be repaired, between Elk street and White Corners Plank Road, by opening gutter and filling holes with brick bats or stone chips, at an expense not to exceed $25, and report. Adopted.

Also reported in favor of allowing the following accounts and of drawing orders for the same:

Dean Candee, for repairing the Breakwater along the shore of Lake Erie from outer lot No. 50 to the southerly bounds of the City of Buffalo, balance on contract—$760 00.

Lauren Williams, for replacing bridge across Smith street, on the northerly side of the Abbott Road—$6 57.

William I. Williams, for repairing plank crosswalk across Massachusetts street on the northeast side of Tenth street—$7 04.

Same, for repairing wood culvert across Jersey street on the north easterly side of Eleventh street—$4 25.

William Farmer, Jr., for repairing Amherst street, between the State Ditch and Howell street—$22 50.

Same, for repairing the wood culvert across Niagara street on the westerly side of Ontario street—$9 85.

Same, for repairing Ontario street, between Niagara street and the City line—$21 00.

E. F. Blackmond, for repairing wood culvert across Vermont street, on the westerly side of Thirteenth street—$8 00.

Same, for repairing culvert across North Washington street on the southeast side of Ferry street—$5 73.

Same, for repairing culvert across School street, on the southwesterly side of Ninth street—$4 09.

Same, for repairing wood culvert across Massachusetts street on the southwest side of Ferry street—$8 00. Adopted.

Also, reported in favor of directing the City Assessors to make assessments as follows:

Assess $49 66, for repairing Clinton street, between the Buffalo and New York City R. R. and the Williamsville road. Adopted.

Assess $28, for repairing the bridge on the Williamsville road, between William street and the New York Central R. R. Adopted.

Assess $39, for repairing the bridge across a ravine on Mineral Spring street, about 50 rods northeast from the Aurora plank road. Adopted.

Also, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause a crosswalk constructed across Hamilton street, on the west side of Niagara street, at an expense not to exceed $10, and report. Adopted.

That the Street Commissioner cause a crosswalk constructed across Hamilton street, on the east side of Niagara street, at an expense not to exceed $10, and report. Adopted.

That the Street Commissioner cause a stone sidewalk four feet wide wide, to be constructed on the north side of Amherst street, between Niagara and Dearborn streets, in front of Market-Square, at an expense not to exceed $122, and report. Adopted.

That the sums to be assessed for the special local fund expenditure during the year 1860, from December 31st, 1859, to January 1st, 1861, be and is hereby determined to be as hereinafter set forth, and that the City Assessors be and they are hereby directed to make an assessment of the said sums upon the property deemed benefitted by the several improvements hereinafter named, as provided in section 11 of title 12 of the Revised City Charter, as follows, to wit:

IMPROVEMENTS AND SUMS TO BE ASSESSED THEREFOR.

For repairing bridge across Williamsville road, on the northerly side of Batavia street....	$18 19
For repairing Culvert across Ferry street, about 100 feet east of Michigan street.....	8 40
For repairing culvert across Genesee street, on the east side of the Williamsville road	5 55
For repairing culvert across Hampshire street, between Thirteenth and Fourteenth streets	5 21
For repairing Culvert across School street, between Twelfth and Albany streets.....	9 85
For repairing crosswalk across Gray street, on the southerly side of Genesee street	2 24
For repairing crosswalk across Herman street, on the southerly side of Genesee street....	6 22
For repairing culvert across Brayton street, on the northwest side of Vermont street..	4 00
For repairing culvert across Exchange street, at the junction of Seneca street.....	4 29
For repairing culvert across Monroe street, on the northerly side of Batavia street.....	9 80
For repairing culvert across Adams street, on the northerly side of Batavia street.....	6 00
For repairing culvert across Walden street, 590 feet southerly from Delvan avenue.....	7 12
For repairing culvert across Walden street, 980 feet southerly from Delevan avenue...	9 57
For repairing culvert across Waldron street, 1,150 feet southerly from Delevan avenue	7 99
For repairing culvert across Amherst street 100 feet northerly from Thompson street	3 78
For repairing culvert across Ferry street, 200 feet westerly of Jefferson street.....	7 21
For repairing Linwood avenue, west side, between Utica and Ferry street.....	4 00
For repairing wood culvert across 12th street on the northwest side of Rhode Island street.....	3 96
For repairing culvert across 11th street, on the northwest side of Massachusetts street	5 00
For repairing the southerly side of Amherst street, at the junction of the Military road	10 06
For repairing culvert across Eleventh street, on the northerly side of Rhode Island street.	3 00
For repairing Bouck avenue, on the southerly side, between Delaware street and 1,500 feet westerly.....	9 00
For repairing culvert across Austin street on westerly side of the Military road.....	5 43
For repairing culvert across Delevan avenue, 200 feet easterly of Elmwood avenue.....	3 90
For repairing culvert across Eleventh street, on the southerly side of Rhode Island street.....	3 00
Adopted.	$162 27

Also reported in favor of allowing the following accounts and of drawing orders for the same:

Isaac Holloway for grading and paving Niagara street from the northerly line of Amherst street to the northerly line of Hamilton street, balance on contrrct—$125 14. Adopted.

Leonard Crocker, for services superintending the repairs of the breakwater along the shore of Lake Erie, from outer lot No. 50 to the southerly bounds of the city, amount—$75. Adopted.

Ald. Hopkins, from the Special Committee on Black Rock Parks, reported in favor of allowing the account of Isaac Holloway for labor, &c., at Market Square, $10, and of drawing an order for same. Adopted.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Yaw—

Whereas, The Legislature of this State did, on the 16th day of April, 1861, among other things, enact that Section 37 of Title 12 of the Revised City Charter should be amended so as to read as follows—Section 37. The Salary of the City Treasurer may, by a vote of two-thirds of all the members elected to the Common Council, be paid at the rate of fifteen hundred dollars per annum for the years 1860 and 1861, subject to be fixed thereafter as provided in the 30th Section of the 4th Title of the act hereby amended—and

Whereas, We are aware that said amendment was petitioned for by nearly all the members of this Council, and believing it to be right and as simply just towards the present incumbent, that he should be paid such increased rate, particularly when it is taken into consideration that he has daily deposited in the banks of deposit, thereby increasing the interest account—and the prompt redemption of General Fund orders in the year 1860, saved to the city over two thousand dollars, and in the Local Fund orders a very much larger sum, thereby saving to the city in that year, in interest alone a much larger sum than would be required to pay his entire salary at such proposed increased rate—therefore,

Resolved, That the salary of the present Treasurer of the City of Buffalo, for the years 1860 and 1861, be and the same is hereby fixed at fifteen hundred dollars, and that the Comptroller, at the close of the present quarter, report to this Council and ask for an order in favor of said Treasurer for eight hundred dolars in addition to the amount he would otherwise be entitled to, were not this resolution adopted. And so much of the act or acts heretofore passed by this Council inconsistent with the above, be and the same are hereby repealed. Adopted. Ayes 19; Noes 0.

By Ald. Dayton—That the resolution passed November 7th, 1861, ordering an assessment for improving and maintaining the two public squares in the Twelfth Ward of the city of Buffalo, viz: Porter Square, fronting on the easterly side of Niagara street, commencing on the southerly corner of Parish street, and Market Square, fronting on the easterly side of Niagara street, on both sides of Amherst street, for $2,471, be, and the same is hereby rescinded. Adopted. Ayes, 19; Noes, 0.

By Ald. Dayton—

Resolved, That the City Assessors be and are hereby directed to assess the sum of one thousand seven hundred and seventy-one dollars, for improving and maintaining Porter Square, said Square situated on the easterly side

of Niagara street, at the southerly corner of Parish street, in the Twelfth Ward; and that the Assessors are hereby directed to assess said sum of $1,771 upon the blocks of land adjoining said Square, and upon the district surrounding said Square, the boundaries of which shall be the boundary lines of the territory known as the Parish Mill Square or tract so called, as provided by Section 34 of Title 12 of the revised City Charter. Adopted.

Also, that the City Assessors be, and are hereby directed to assess the sum of seven hundred dollars for improving and maintaining Market Square situated on the east side of Niagara street, and both sides of Amherst street in the Twelfth Ward. That the Assessors are hereby directed to assess said sum of $700 upon the blocks adjoining, and upon the district surrounding said Squar , the boundaries of which shall be the boundary lines of the Territory known as the Parish Mile Square, or tract so called, as provided by Section 34 of Title 12 of the revised City Charter. Adopted.

By Ald. Allen, That the Committee on Public Lamps be authorized to extend the contract with James G. Turner for lighting, &c., the public lamps of the city from one to three years at a price not to exceed that now paid, provided the city shall continue lighting and using gas in the lamps. Referred to Committee on Public Lamps.

By Ald. Felton—That the Committee on Finance, to gether with the City Attorney, confer with the Board of Supervisors of Erie County in relation to the assessment made for several years upon the Western Transportation Company—and which was declared illegal by the Court of Appeals—to the end that such assessments may be charged upon the whole county, instead of the Eighth Ward. Adopted.

By Ald. Beckwith—

Whereas, At the session of this Council held Nov. 18, 1861, the Superintendent of Schools was directed to contract with teachers for the year 1862, by a resolution passed in the following terms, to wit:

"*Resolved*, That the Superintendent of Schools be and he is hereby authorized and directed to employ and con tract with a sufficient number of suitable teachers, at the salaries and for the time above mentioned," and

Whereas, The above action of the Council is plainly in contravention of Sec. 8, Art. v, of the Charter, as well as Sec. 50 of chapter 13 of the Ordinances, and all contracts made in pursuance thereof would be void as claims against the city, therefore

Resolved, That the above mentioned resolution passed at the last preceeding session be and the same is hereby repealed, and all authority to enter into contracts for services to be performed in the year 1862 is withdrawn.

Ald. Beckwith moved that said resolution be adopted.

Ald. Adams moved as an amendment to the motion of Ald. Beckwith, that said resolution be referred to the City Attorney, with directions to report thereon at his earliest convenience.

Ald. Felton moved the previous question, which was ordered.

The question was then taken on the motion of Ald. Adams, and the same was carried. Ayes, 11, Noes, 10.

Ald. Adams then moved to adjourn. Carried.

The resolutions remaining on the desk of the Clerk at the adjournment of the Council were by him referred to committees as follows:

That the wooden bridge across Little Buffalo Creek, on Van Rensslear street near Exchange street, be repaired.

That the wood culvert across Ninth street, on the southerly side of Vermont street, be repaired.

That the pavement on Canal street, between Commercial and Erie streets, be repaired. Referred to the Committee on streets.

That the sidewalk on the east side of Spring street, between William and Clinton streets, be repaired.

That the sidewalk on the south side of South Division street, between Main and Oak streets, be repaired. Referred to the Committee on Side and Crosswalks.

That the Committee on Fire report the names and number of fire companies that can be disbanded without damage to existing interests.

That the employees of the city now running the steamer "City of Buffalo" be transferred to the steamer "Huron," and that the "City of Buffalo" be held as a reserve engine to be used in cases of large fires. Referred to Committee on Fire.

That the Chairman of Committee on Public Lamps cause one public lamp to be set on the south-east corner of Michigan and Exchange streets. R ferred to Committee on Public Lamps.

That Elk street, between the New York Erie Railroad and Smith street, be repaired.

That South street, between Louisiana and Hamburg streets, be repaired.

That the bridge on Seneca street, over the Little Buffalo Creek, be repaired.

That a bridge across the ravine on Elk street, 286 feet easterly from Dole street, be constructed.

That the wood culvert across the Williamsville Road, on the north side of Clinton street, be reconstructed.

That a wood culvert across Porter street, between Auburn avenue and Breckenridge street, be constructed.

That Ferry street, from the westerly curb line of Niagara street to the Erie Canal, be repaired.

That a wood culvert across South street, on the westerly side of Hamburgh street, be constructed.

That water lot, on the northwest corner of Seneca and Smith streets, be filled with earth.

That the sidewalk on the southerly side of Elk street, between Smith street and the easterly termination of the present sidewalk, be repaired.

That the Common Council intend to order a receiver constructed at the intersection of Fort and Niagara streets, and a sewer on Fort street, from said receiver to the Erie Canal. Referred to the Committee on New Territory.

The Common Council adjourned to meet next Monday afternoon, December 16th, 1861, at two o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 43.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Dec. 16th, 1861,
At 2 o'clock, P. M.

Present—Ald. Adams, Allen, Brush, Crowder, Dayton, Felton, Goembel, Grass, Hannovan, Hopkins, Jones, Mills, Palmer, Rutter, Savage, Scheu, Storck, Swartz, Walsh, Wheeler, and Yaw.

Absent—Ald. Beckwith, Bemis, Dorr, Pratt and Russell.

In the absence of the President, Ald. Storck was called to the Chair.

The minutes of the last meeting were approved.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

GENTLEMEN—At your last meeting you directed an order to be drawn in favor of C. H. Ohlmer for $12 50-100, on the election expense department, I have withheld the same for the reason that the order should be for $7 50 only, and I recommend that an order be drawn for this amount and I will cancel the one now drawn.

ALONZO TANNER, Comptroller.

Ald. Adams moved that such communication be filed, and that the recommendations therein contained be adopted. Carried.

FROM THE CITY ATTORNEY.

I hereby report that the suit of Elizabeth Read against the city of Buffalo was tried on the 20th day of last November before His Hon. Justice Clinton, without a jury, and decided in favor of the city.

I further report that I have not had time during the past week to examine sufficiently as to the legality of the action of the Council of Nov. 18, 1861, in regard to contracts with the teachers in the public schools, and desire further time to report thereon.

GEORGE WADSWORTH, City Attorney.

Ald. Palmer moved that such communication be received and filed, and that he be granted further time as requested. Carried.

FROM THE STREET COMMISSIONER.

The undersigned reports that the public well at the corner of Peacock and Evans streets is now completed, and the expense of constructing the same is as follows, to wit:

John Gisel, for constructing the well	$290 80
Klein & Dobinson, for the pump and fixtures	25 28
Making a total of	$316 08

And he recommends that an assessment be made to defray the expense.

L. J. WATERS, Street Commissioner.

Referred to the Committee on Water.

FURTHER FROM THE STREET COMMISSIONER.

On the 14th day of October last, you directed the City Assessors to assess the sum of $498 51 for constructing a brick sewer in Maple street, from the termination of the present sewer in Maple st. to Virginia street (so called); and at the same date you awarded the contract for constructing said sewer to Patrick Lynch at the price of 87 cents per lineal foot, and directed the Street Commissioner (when an assessment should be confirmed) to contract with said Lynch for doing the work at a sum not exceeding $498 51. The assessment is now confirmed, and since the above-named order was made, Mr. Lynch has died, and the subject of the proposed sewer will require further action of your honorable body. Mr. A. H. Giddings is the next lowest bidder for the work, viz., 89 cents per lineal foot.

L. J. WATERS, Street Commissioner.

Referred to Committee on Water.

FURTHER FROM THE STREET COMMISSIONER.

Mr. Isaac Holloway asks for a payment to apply on contract for graveling the carriage-way in Delaware st., and cleaning the gutter from Virginia street to North st., and from a point 200 feet north of North st. to Utica st.

Amount of said contract is $2,033 60.

Amount already paid on the same is $600.

Amount of work done and not paid for is $800.

Amount proposed to be paid at this date, $600.

And the undersigned recommends that orders be drawn on the local fund for said work for the amount proposed.

L. J. WATERS, Street Commissioner.

Ald. Palmer moved that such communication be filed, and that orders be drawn as recommended. Carried.

The Street Commissioner also reported the amount due to the Keeper of the Court House Park, for services during the month of November. Filed, and order directed to be drawn.

FROM THE SUPERINTENDENT OF SCHOOLS.

Herewith I communicate the pay roll of the Teachers in the Public Schools for the last half of the third term of 1861. I certify that there will be due to each teacher the amount set opposite his or her name, on the 19th instant, and recommend that orders be drawn in their favor accordingly. The whole amount called for is $12,702 53.

SANFORD B. HUNT,
Superintendent of Schools.

Filed, and orders directed to be drawn.

The Superintendent of Schools also reported the amounts due su dry persons for sweeping, &c., School Houses, for term ending December 19, 1861, amount $531 50. Filed, and orders directed to be drawn.

FROM THE FIRE MARSHAL.

In compliance with a resolution adopted by your honorable body on November 25th, I have ascertained that a wooden barn can be rented in the immediate vicinity of the engine house formerly occupied by Perry Engine Co. No. 7, on Perry street, for $25, to the 1st of May next.

I would respectfully recommend your honorable body to give the necessary authority to rent the barn above mentioned.

D KISSOCK, Fire Marshal.

Filed, and subject matter referred to Committee on Fire, with power.

FURTHER FROM THE FIRE MARSHAL.

I have organized Hose Companies for four Steam Fire Engines' consisting of four men each, at a salary of $50 each per annum, as follows:

For Steam Fire Engine "Niagara:"
October 1, 1861—Donald McKay, Captain.
" " Wm. Burley.
" " John Stephenson.
" " Edward B. Phillips.

For Steam Fire Engine "City of Buffalo:"
October 1, 1861—George Mercer, Captain.
" " Peter Watts.
" " John Kingsbury.
" " Peter Sutton.

For Steam Fire Engine "C. J. Wells."
December 1, 1861—Henry Tappenden, Captain.
" " David Murdock.
" " Joseph Clark.
" " Harlow French.

For Steam Fire Engine "Seneca:"
September 1, 1861—Ben. Franklin, Captain
" " James Purcell.
December 1, 1861—Fred. Erenater.
" " Lewis Gelb.

I would respectfully ask your honorable body to confirm the same.

D. KISSOCK, Fire Marshal.

Ald. Yaw moved that such communication be filed, and that this Council consent to the several nominations as reported. Carried.

FROM THE RECEIVER OF TAXES.

I have purchased one thousand penny postage stamps, o prepay local tax notices, for which I have paid ten dollars. I respectfully ask that an order be drawn for the amount. GORDON BAILEY,

For M. WIEDRICH, Receiver of Taxes.

Filed, and order directed to be drawn.

FROM THE CHIEF OF POLICE.

The undersigded respectfully represents that two of the stoves in his office are burned out and are entirely useless, and in view of the high price of wood, asks your honorable body to empower him to replace the same by purchasing two "Littlefield Coal Burners," at at expense not exceeding forty-six dollars, ($46.)

Respectfully submitted,

GEO. DRULLARD,
Chief of Police.

Ald. Adams moved that said communication be filed, and that authority be given to the Chief of Police to purchase stoves as recommended. Carried.

Assessment Roll No. 2588.—For repairing and maintaining the two bridges across Evans Ship Canal, on Erie and water streets, amount $1,002—the time for the consideration of which, and the hearing of parties interested therein had been fixed for to-day was taken up.

Ald. Yaw moved that the consideration of said roll be further postponed until the second Monday in January, 1862. Carried.

Assessment Roll No. 2398.—For widening, straightening and enlarging Buffalo Creek at the toll bridge on Ohio street, by excavating a channel on the northerly side of said creek, amount $5,935—the time for the consideration of which, and the hearing of parties interested therein had been postponed until to-day, was taken up.

Ald. Palmer moved that the time for the consideration of said roll and the hearing of parties interested therein be postponed for one week. Carried.

PETITIONS.

Of Mrs. Adam Baldauf, for discharge of tax.

Of James Sheldon and others, that no more local improvements be ordered.

Of Wm. Davison, to have error in personal assessment corrected. Referred to Committee on Finance.

Of Wm. H. Vollmer, for permission to erect a wooden car for an ambrotype gallery, corner Oak and Batavia streets. Referred to Committee on Fire.

Of John G. Kline, for fireman's certificate. Refarred to City Clerk with power.

Petition of Capt. Chas. E. Morse and others, for the release of Charles Green, from confinement in the Erie County Penitentiary.

Ald. Adams moved that the prayer of the said petition be granted. Carried. Ayes, 18; Noes, 0.

Petition of M. Bailey, for the release of Daniel Brice from confinement in the Erie County Penitentiary.

Ald. Hanovan moved that the prayer of the said petition be granted. Carried. Ayes, 18; Noes, 0.

Petition of Mrs. Johanna O'Neil for permission to erect a frame house, 16 by 25 feet, one story high on the east side of Illinois street, 170 feet southerly of Perry street.

Ald. Hanovan moved that the prayer of the said petition be granted under the direction of the Fire Mashal, and subject to the further order of the Council. Carried. Ayes, 17; Noes, 0.

Petition of Leonard Wilson, for permission to remove a frame cottage from south side of South Division street, east of Jefferson street, to the north side of Swan street, 100 feet west of Hickory street.

Ald. Jones moved that the prayer of the said petition be granted under the direction of the Street Commissioner and subbject to the further order of this Council. Carried. Ayes, 17; Noes, 0.

Petition of J. N. Scatchard and others, for the prevention of driving cattle and hogs on the sidewalks in the lower portion of the city.

Whereupon Ald. Savage offered the following resolution:

Resolved, That the Mayor be, and he is hereby directed, to prosecute any person, or persons, who shall hereafter violate section 16 of chapter 10, of the city ordi-

nances, and he is hereby also directed to post notices of said intention immediately, in the lower portion of the city, where said ordinances are reported to have been greatly violated.

Ald. Jones moved to refer the said petition and resolution to the Committee on Sanitary Measures. Lost.

And the said resolution was then adopted.

ACCOUNTS REFERRED.

D. Taylor, for sundry repairs to schools.

D. C. Weed, & Co., for sundries for schools.

John Reger, for sawing wood for schools.

Valentine Bibus, for sawing wood for schools. Referred to Committee on Schools.

Lauren Williams, for repairing wood culvert across Hickory street, northerly side of Sycamore.

Geo. Miller, for repairing Canal street, between Commercial and State streets.

Same, for repairing Erie street, between Franklin and the Terrace.

A. D. Morton, for repairing Elk street, about 400 feet easterly from Smith street.

Same, for repairing Jefferson street, between South Division and Swan streets.

David Walker, Jr., for repairing Fourth street, between Court and Carolina streets.

W. I. Williams, for repairing bridge across Prime Slip, on Prince street.

D. C. Weed, & Co., for sundries for Street Department. Referred to Committee on Streets.

A. H. Giddings, for constructing sewer in Hickory street, from the sewer in Clinton street.

John Wannop, for repairing sewer and Receiver, at pump on southeast corner of Goodell and Oak streets.

Same, for repairing Sewer and receiver, at the southeast corner of Michigan and Cherry streets. Referred to Committee on Sewers.

Wm. I. Williams, for repairing sidewalk, southerly side of Pennsylvania street, between Niagara and Ninth streets.

Wm. I. Williams, for repairing sidewalk, southwesterly side of Peacock street, between Evans and Norton streets.

L. Williams, for repairing sidewalk, southerly side of Swan street, between the westerly curb line of Kinneys Alley, and a point 580 feet westerly therefrom.

Same, for repairing sidewalk, on the southerly side of Swan street, between Spring and Jefferson streets. Referred to Committee on Side and Crosswalks.

Philander Amsden, for span of horses for Fire Department.

H. S. Chamberlain, for reservoir covers for Fire Department.

Geo. Day, for repairs for Fire Department.

N. H. Gardner, for leather for Fire Department.

Peter Schmal, for labor and material for Fire Department.

Warren & Brothers, for labor and material for Fire Department.

Edwin Rose, for use of team for Fire Department. Referred to Committee on Fire.

Klein & Dobinson, (5 accounts) For repairs to sundry pumps. Referred to Committee on Water.

D. C. Weed & Co., for sundries for city offices.

S. Sawin, for repairs for same.

J. L. Chichester, for sundries for same.

J. W. A. Meyer, for disbursements for Auditor's office

E. W. Palmer, for services as Inspector of Election.

Jesse Webb, for same.

W. Stein, for same.

Anson W. Becker, for services as poll clerk.

G. H. Smith, for use of room for election purposes.

John O. Hara, for removing windows, &c., for election purposes. Referred to Committee on Claims.

Louis Otto, for services as constable.

Eli Fontaine, for commitments to Penitentiary.

Geo. Drullard, for disbursements. Referred to Committee on Police.

F. C. Hill, for repairing hydrants, &c., for markets. Referred to Committee on Markets.

Thomas Dunbar, for dredging Buffalo Creek. Referred to Committee on Wharves, Harbors and Ferries.

Charles Kaumeyer, for brooms for Court House Park. Referred to Committee on Public Grounds.

William Farmer, Jr., for constructing sidewalk on the easterly side of Niagara street, at the junction of Hampshire street.

Same for constructing sidewalk on the easterly side of Niagara street, at the junction of Massachusetts street.

Same for constructing sidewalk on the easterly side of Niagara street, at the junction of Rhode Island street.

Same. for constructing sidewalk on the easterly side of Niagara street, at the junction of Rhode Island, on the southerly side of Rhode Island street.

Same, for repairing sidewalk on the southerly side of Amherst street, between Tonawanda street and the State Ditch.

Same, for repairing crosswalk across Eleventh street, on the south-east side of Vermont street.

Same, for constructing crosswalk across Hamilton st., on the westerly side of Dearborn .

Same, for constructing a wood culvert across Farmer street on the easterly side of Niagara street.

A. Curry, for constructing a stone culvert across Tonawanda street, on the north side of Amherst street.

Isaac Holloway, for stone sidewalk on the westerly side of Amherst street, between Niagara and Dearborn streets. Referred to Committee on New Territory.

REPORTS OF COMMITTEES.

Ald. Hopkins, from the Committee on Finance, reported in favor of the adoption of the following resolutions :

That upon filing the petition of J. White Williams with the Comptroller, together with the proofs accompanying same, in which said Williams asks for a declaration of sale on tax certificate No. 1034 of sale of June 1st, 1860, of lot on the north side of North Division street, part of farm lot No. 60, lying 291 feet east of Grosvenor street, being 65 feet front by 118 feet deep, the said Comtroller execute and deliver to said Williams a declaration of sale thereon in the form prescribed by the charter.—Adopted.

That the petition of Chas. H. Rathbone, asking for a declaration of sale on tax certificate No. 1593 of the sale of March, 18, 1856, be and the same is hereby denied, and that said Rathbone have leave to withdraw such petition. Adopted.

Also in favor of allowing the following account, and of drawing an order for the same:

Horace Utley, assignee of D. Tillinghast, for fees, &c. (in cases in which the city was a party) incurred at the instance of City Attorney—$15 31. Adopted.

Also in favor of the adoption of the following:

That an order for $45 55 be drawn on the general fund 1853 in favor of the Comptroller with which to take up and pay local fund order No. 2,700 for $31 63, to gether with interest thereon, said local order bearing date December 11th, 1854, and drawn on fund for abating nuisance east side of Chicago street, south corner of Mackinaw street. Adopted.

That the City Assessors assess $40 25 for repairing and maintaining the well and pump located at the corner of Batavia and Pratt streets. Adopted.

Ald. Wheeler, from the Committee on Schools, reported in favor of allowing the following accounts and of drawing orders for the same:

Breed, Butler & Co., for library books for sundry schools, allowed at $693 08.

P. E. Brown, for amount paid for cleaning Public School No. 31, allowed at $6 25.

Wesley Emmons, for labor, &c., at Central School, allowed at $196 43.

W. W. Newman, for disbursements for school No. 13, allowed at $1 57.

Lewis R. Keyes, for repairing clocks for schools—$8.

Richard Benstead, for repairs on school house No 33—$1 25.

Breed, Butler & Co., for stationery, &c., for schools—$44 87.

Wesley Emmons, for labor, &c., at sundry schools—$37 13.

Same for same, allowed at $49 94.

Julius Walker, for clocks, &c., for schools—$22.

Wesley Emmons, for labor at school house No, 6, allowed at $237 73.

Felthousen & Russell, for sundries for school No. 16—$19 75. Adopted.

Ald. Palmer, from the Committee on Streets, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause the wood culvert across South street, on the westerly side of Hamburgh street, to be constructed at an expense not to exceed $50 and report. Adopted.

That the Street Commissioner cause South Street, between Louisiana and Hamburgh streets, to be repaired by filling with cinders, at an expense not to exceed $100, and report. Adopted.

That the Street Commissioner cause the wooden bridge across Little Buffalo Creek on Van Rensalear street, near Exchange street, to be repaired at an expense not to exceed $20, and report. Adopted.

That the Street Commissioner cause the wood culvert across Ninth street, on the southerly side of Vermont street, to be repaired at an expense not to exceed $7, and report. Adopted.

Also reported in favor of directing the City Assessors to make assessment as follows:

Assess $84 63 for repairing Church street, between the easterly line of Delaware street and Cazenovia Terrace. Adopted.

Also reported in favor of allowing the following accounts and drawing orders for the same.

William Mensch, for removing dirt, &c., from the pave streets during the month of November, 1861, as per contract—$266 67.

John Erb, for cleaning streets in front Public Grounds, &c., in November—$9 75.

Philip Schan, for the same—$10 50.

George Fisher, for the same—$1 13.

A D Mortsn, for repairing Alabama street, between Seneca and Exchange streets—$29 99.

William I. Williams, for constructing a wood culvert across William street, near the water course between the New York Central Railroad and the Williamsville Road—$7 07.

Frederick Scheifer, for reconstructing wood Culvert across Cherry street at the intersection of Spring street—$9 01.

William Farmer, Jr., for reconstructing wood culvert across Dearborn street, between Austin and Farmer streets. $13 45

Isaac Holloway, for grading and paving Huron street from the curb line on the westerly side of Morgan street to the New York Reservation line, as per contract, balance—$251 06.

David Walker, for repairing Pine street from Cypress street to Sycamore streeet—$25.

George Miller, for repairing Lloyd street from a point 40 feet southerly from the southerly line of Canal street to a point 100 feet southerly from the first named point—$21 71. Adopted.

Ald. Brush, from the Committee on Sewers, reported in favor of allowing the following accounts, and of drawing orders for same:

George Miller, for constructing sewer and receiver at the southwest corner of Michigan and High streets—$68 83.

A. S. Swartz, for taking up wood sewer on Louisiana street at and near the Main and Hamburg street canal and relaying the same with brick and extending said sewer on both sides of said canal through the stone abutments for the bridge across said canal on Louisiana street—$90 26.

John Wannop, for repairing receiving sewer on the west side of Main street, opposite of Quay street—$6 77.

Same, for repairing sewer in the Alley between Main and Washington streets, and running south from Seneca street—$8 62.

Same, for repairing sewer and receiver at the northwest corner of Exchange and Heacock streets—$7.

Same, repairing sewer and receiver on the northwest corner of Centre and Seneca street—$9 78.

John Wannop, for repairing sewer and receiver at the well on the north side of South Division street, between Cedar and Hickory streets—$8 31.

John Wannop, for repairing sewer in Pearl street, 165 feet north from Seneca street—$1 07.

Same, for repairing the sewer in Union street, near Eagle street—$4 91. Adopted.

Ald. Swartz, from the Committee on Side and Cross Walks, reported in favor of the adoption of the following resolutions:

That the owners of the land on the easterly side of Spring street, between William and Clinton streets, cause a sidewalk to be repaired in front of their respective lots, by substituting new hemlock plank three inches thick

where necessary, within five days; and if not done within that time, then the Street Commissioner cause the same to be done at an ezpense not exceeding fifty dollars, and report. Adopted.

That the owners of the land on the southerly side of South Division street, between Main and Oak streets, cause a sidewalk to be repaired in front of their respective lots, by substituting new flagging stone or brick where necessary within five days; and if not done within that time, then the Street Commissioner cause the same to be done at an expense not exceeding fifty dollars, and report. Adopted.

Also reported in favor of directing the City Assessors to make assessments as follows:

Assess $5 50, for constructing a plank cross-walk across Grosvenor street, on the southerly side of North Division street. Adopted.

Assess $8 04, for constructing a plank cross-walk across Eagle street, on the westerly side of Cedar st. Adopted.

Assess $50, for repairing the plank sidewalk on the easterly side of Main stteet, between Virginia street (so called) and Carlton street. Adopted.

Assess $71 14, for repairing the plank sidewalk on the southerly side of Delaware Place, between Delaware st. and the angle near the New York State Reservation Line. Adopted.

Assess $98, for constructing a plank sidewalk on the easterly side of Washington street, between Carlton street and Virginia street (so called). Adopted.

Assess $14 52, for repairing the sidewalk on the northwesterly side of Maryland street, between Sixth and Seventh streets. Adopted.

Also reported in favor of allowing the following accounts, and of drawing orders for the same:

Frederick Scheifer, for repairing crosswalk across Locust street, on the northerly side of Cherry street—$8.

Same, for repairing sidewalk on the southerly side of Genesee street, between Mortimer and Jefferson streets—$5 28.

Same, for constructing plank sidewalk on the westerly side of Oak street, between High and Carlton streets—$32 80.

W. I. Williams, for repairing sidewalk on the easterly side of Hudson street, between Niagara and Ninth streets—$18 24.

Lauren Williams, for repairing plank crosswalk across Mackinaw street, on the easterly side of Chicago street—$5 92.

Same, for repairing plank crosswalk across Miami street, on the easterly side of Chicago street—$6.

Same, for repairing plank crosswalk across Red Jacket street, on the southerly side of Perry street—$6 56.

W. I. Williams, for reconstructing the plank crosswalk across Morgan street, on the southerly side of Edward street—$4. Adopted.

Also reported in favor of the adoption of the following resolutions:

That the owners of the land on the northerly side of Huron street, between Morgan street and the New York State Reservation line, cause a sidewalk to be reconstructed in front of their respective lots four feet wide, by substituting good new hemlock plank three inches thick, where necessary, within three days, and if not done within that time then the Street Commissioner cause the same to be done at an expense not exceeding fifty dollars and report. Adopted.

That the owners of the land on the southerly side of Huron street, between Morgan street and the New York State Reservation Line, cause a sidewalk to be reconstructed in front of their respective lots four feet wide, by substituting good new hemlock plank three inches thick, where necessary, within three days, and if not done within that time, then the Street Commissioner cause the same to be done at an expense not exceeding $50 and report. Adopted.

Also reported in favor of allowing the following account, and of drawing an order for the same:

Isaac Hollaway, for repairing crosswalk across Niagara Square, on the southwest side of Niagara street, from curbing on the easterly side of Delaware street to the curbing on the northerly side of Court street—$23 25. Adopted.

Ald. Yaw, from the Committee on Fire reported in favor of the adoption of the following resolutions;

That permission be, and is hereby granted to Henry Murray, to raise the rear of his dwelling house, No. 264, Seneca street, three feet higher, the same to be done under the direction of the Fire Marshal, subject to the further order of this Council, and to be completed within three months—the said addition to be used as part of the dwelling, and not to be used for a barn. Adopted. Ayes, 18; Noes, 0.

That the employees of this city, now running the steamer "City of Buffalo," be transferred to the steamer Huron," and that the "City of Buffalo" be held as a reserve engine, to be used in cases of large fires. Adopted.

Also, reported in favor of allowing the following accounts, and of drawing orders for same.

J. H. Carpenter, for repairs for Fire Department—$42 75.

Bangasser & Bros., for same—15 43.

Thos. B. French, for same—$80 57.

H. S. Chamberlain, for same—$23.

W. I. Williams, for same—$33 83.

Felthousen & Russel, for sundries for same—$53 96.

M. Gardner, for straw for packing hydrants—$22 80.

E. O. Marsh, for feed for Fire Department—$16 05.

Geo. Peugeot, for lantern for Fire Department—$2 50.

Henry King, for repairing hose for Fire Department—$16 50.

Breed, Butler, & Co., for stationary, &c., for Fire Marshall, allowed at—$3 41.

Geo. B. Bull & Co., for stove, pipe, &c., for Fire and Police Department—$12 50. Adopted.

Also, reported in favor of the adoption of the following:

That volunteer Engine Companies Nos. 10 and 12 be and they are hereby disbanded, for the reason that the recent employment of two additional Steam Fire Engines renders it necessary for the Council to make an equivalent reduction of the volunteer or hand force; and the Fire Marshal is hereby directed to take charge of the Engines and other property belonging to the city now in the possession of the companies herein above named; and further,

That the members of the said companies, Nos. 10 and 12, and also of Engine Companies Nos. 2 and 3, recently disbanded by order of this Council, who have not served the full time required to entitle them to a certificate of exemption, be and they are hereby authorized and per-

mitted to serve out the unexpired portion of such time, unless otherwise ordered by this Council, in the capacity of and as firemen in aiding in the extinguishing of fires, as they may occur. Adopted.

Ald. Jones, from the Committee on Water, reported in favor of allowing the following accounts, and of drawing orders for same:

Klein & Dobinson, for repairing pump to well at the junction of Hospital, Court and Sixth streets—$2 72.

Same, for repairing pump to well on Bennett street, between William and Batavia streets—$1 88

Same, for do., at the corner of Goodell and Oak streets —$1 75.

Same, for do., at the corner of Batavia and Cedar streets—$2

Same, for do., at the corner of Ohio and Columbia streets—$1 94

Same, for do., in Huron street, between Franklin and Delaware streets—$2.

Same, for do., at the corner of Swan and Jefferson streets—$2.

Same, for do., in Michigan street, near Gay street—$1 75.

Same, for do., at the corner of Oak and Clinton streets —$2 34.

Richard Hextal, for repairing and deepening the well on Eagle street between Michigan and Union streets—$85 38

Klein & Dobinson, for new pump to same well—$18 94

Klein & Dobinson, for repairing pump to well at the corner of Walnut and Sycamore streets — $1 25.—Adopted.

Also reported in favor of directing the City Assessors to make an assessment as follows:

Assess $8 20 for constructing and maintaining the public well and pump located at or near the corner of Peacock and Evans streets. Adopted.

Also reported in favor of allowing the following account, and of drawing an order for same:

John Gisel, for repairing the pump to well in Elm street between Clinton and Batavia streets—$1 88. Adopted.

Also in favor of the adoption of the following resolution:

That the Street Commissioner cause a new pump to be furnished and placed in the well at the junction of Hospital, Court and Sixth streets, at an expense not exceeding $25, and report. Adopted.

Ald. Wheeler, from the Commitee on Claims, reported in favor of allowing the following accounts, and of drawing orders for same:

Breed, Butler & Co., for stationery, &c., for City Attorney, allowed at $12 47.

Same, for same for Treasurer's office, allowed at $6 08.

Same, for same for Receiver of Taxes office, allowed at $7 80.

Same, for same for Street Commissioner's office, allowed $5 44.

Same, for same for Surveyor's office, allowed at $34 48.

Same, for same for Assessor's office, allowed at $2 41.

G. P. Stevenson & Co., for livery for same—$19 50.

G. D. Teller, for framing picture for Council Chamber —$3 50.

James Comer, for services in the Treasurer's office, allowed at $22 50.

R. W. Johnson, for copying Street Rail Road Records—$42.

S. A. Presbrey, for copying Death Records—$50. Adopted.

Ald. Mills, from the Committee on Police, reported in favor of the adoption of the following resolution:

That the fine imposed by Justice Lampman on Harlow French and Nicholas Pitkin, on the 15th Nov., 1861, be remitted, and the City Attorney is hereby authorized to remit the same. Adopted. Ayes, 18; Noes, 0.

Also, reported in favor of allowing the following accounts and of drawing orders for same:

S. S. Bame, for labor and materials at Police Station No. 1—$4 00.

Fethousen & Russell, for sundries for Police Department—$13 81

T. M. Johnson, for medical attendance at Police Station No. 2, allowed at—$5 00.

William King, for medical attendance at Police Station No. 1, allowed at—$8 00.

C. C. F. Gay, for medical attendance at Police Station No. 3, allowed at—$4 00. Adopted.

Ald. Adams from the Committee on Public Lamps, reported in favor of allowing the following account and of drawing an order for same.

Chas. J. Hubbard, Agent, for 25 Lamp Posts—$187 50. —Adopted.

Ald. Savage, from the Committee on Sanitary Measures, reported in favor of allowing the following account and of drawing order for same.

Edwin Rose, for abating nuisance on ground fronting on the east side of Walnut street, being 27 feet front and rear by 106 feet deep, and commencing 155 feet south from Sycamore street—$85 62. Adopted.

Ald. Crowder, from thCommittee on New Territory, reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause the Bridge across the ravine on Elk street, 286 feet easterly from Dole street, to be constructed at an expense not to exceed $100, and report. And that the resolution passed Aug. 12, 1861, ordering said bridge constructing and limiting the expense at $75, be rescinded. Adopted—Ayes 19; noes 0.

That the Street Commissioner cause the wood culvert across Genesee street, on the easterly line of the Williamsville road be repaired at an expense not to exceed $6, and report. Adopted.

That the Street Commissioner cause the bridge on Seneca street, over the Little Buffalo Creek to be repaired, and that the pavement on both sides of the bridge be raised to grade at an expense not to exceed $50, and report. Adopted.

That the Street Commissioner cause Elk street, between the New York and Erie Railroad and Smith street, to be repaired by filling holes with cinders and brick bats at an expense not to exceed $15, and report. Adopted.

That the owner of the land on the southerly side of Elk street, between Smith street and the easterly termination of the superstructure of the present sidewalk, cause a sidewalk to be repaired in front of their respective lots by

substituting good new hemlock plank, three inches thick, where necessary, within five days, and if not done within that time then the Commissioner cause the same to be done at an expense not exceeding $15, and report.—Adopted.

That the Street Commissioner cause the wood culvert across the Williamsville road on the northerly side of Clinton street to be reconstructed at an expense not to exceed $25, and report. Adopted.

That the Street Commissioner cause Ferry street, from the westerly curb line of Niagara street to the Erie Canal, to be repaired by filling in the roadway with stonechips or gravel at an expense not to exceed $50, and report.—Adopted.

That the Street Commissioner cause the wood culvert across Porter Street, between Auburn Avenue and Breckenridge street to be constructed at an expense not to exceed $10, and report. Adopted.

That the Street Commissioner cause the wood culvert across Delevan Avenue, about 1530 feet westerly from the Williamsville Road to be repaired at an expense not to exceed $8, and report. Adopted.

That this Council do hereby authorize and confirm the services of Leonard Crocker in superintending the repairing of the breakwater along the shore of Lake Erie, from outer lot No. 50 to the southerly bounds of the city, in 1860 and 1861, at an expense of $75, to be paid out of the local fund for said work, in pursuance of the resolution adopted at the last meeting of this Council. Adopted.

That the Street Commissioner cause the bridge across Cazenovia Creek, on the White's Corners Plank road to be reconstructed at an expense not to exceed $99, and report. Adopted.

Also reported in favor of directing the City Assessor to make assessments as follows:

Assess $40 96 for reconstructing the bridre across a ravine on Williamsville road, about 200 feet southerly from Clinton street. Adopted.

Assess $97 37 for repairing the Abbott road, between Elk street and the Buffalo and the New York and Erie Railroad. Adopted.

Assess $49 for repairing Amherst street, from Niagara street to Tonawanda street. Adopted.

Assess $24 80 for repairing Amherst street, between the State ditch and the military road. Adopted.

Assess $49 80 for repairing Amherst street, between the military road and Tonawanda street. Adopted.

Also reported in favor of allowing the following accounts, and of drawing orders for the same.

Henry Waters, assignee of William Jacobs, for reconstructing stone culvert across Steele street, on the easterly side of Main street—$15.

William Farmer, Jr., for constructing wood culvert across Amherst street, about 100 feet easterly from Delaware street—$5 65. Adopted.

Also reported in favor of the adopton of the following:

That the Street Commissioner is hereby authorized and directed to contract with James Howells for constructing a stone sidewalk on the southerly side of Amherst street, from the curb line on the westerly side of Dearborn street to the sidewalk superstructure on the easterly side of Niagara street, in accordance with the specifications for doing the same, at a sum not exceeding (49 cents per lineal foot) his proposal for doing the work, and that the total expense of said stone sidewalk shall not exceed $120, and that so much of the resolution adopted May 20, 1861, as limits the expense of said walk at $100, be and is hereby repealed. Adopted. Ayes, 20; Noes, 0.

Also reported in favor of allowing the following accounts, and of drawing orders for same:

Lauren Williams, for repairing a wood culvert across Smith street, between the Abbott Road and Elk street—$5 14.

Jacob Walfer, for repairing the Williamsville Road, between Delavan Avenue and the first plank road running southerly therefrom—$14 93.

George Miller, for repairing Walden street, near the northerly line of Genesee street—$5.

John Campbell, for repairing the culvert across Mason street, between Auburn Avenue and Breckinridge street—$14 13. Adopted.

SPECIAL COMMITTEES.

Ald. Hopkins, from the Special Committee on Parks, on Prospect Hill, reported in favor of allowing the following account, and of drawing an order for same.

Samuel Green, for services as keeper of parks, on Prospect Hill, for Nov—$26. Adopted.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Felton—That the owners of the land, on the easterly side of Fourth street, between Georgia and Carolina streets, cause a sidewalk to be repaired in front of their respective lots, by substituting good new hemlock plank, three inches thick, where necessary, within 5 days, and if not done in that time, that the Street Commissioner cause same to be done and report, expense not to exceed $15. Adopted.

By Ald. Allen—That orders be drawn in favor of Thos. Dunbar to the amount of $300, to apply on his contract for dredging Buffalo Harbor—such orders to be drawn on the appropriate funds. Adopted.

By Ald. Storck—That the Clerk of Public Markets and the same is hereby directed to make out and present to this Council at the next meeting, a report in accordance with Section 16, Chapter 9, showing a statement in detail of all amounts received, and from whom, for rents of stalls, stands or spaces, and the amount due and owing for stalls in and outside of the Market buildings, and from whom, from April the 1st up to this date.—Adopted.

By Ald. Palmer—That the amount to be expended on the repairs of the plank road on Swan street between the easterly terminus of the pavement in Swan street and the intersection of the pavement on Seneca street shall not exceed $100, and that so much of the resolution ordering said plank roadway repaired passed November 25th, 1861, and limiting the expense of said repairs at $90, be rescinded.—Adopted. Ayes 19, noes 0.

By Ald. Hopkins—That H. S. Cunningham, keeper of the Erie County Penitentiary, be, and is hereby requested to report to this Council at his earliest convenience, the amount of fines received at said Penitentiary during the years respectively from 1855 to 1861, inclusive, where the same have been imposed for any violation of the charter and ordinances of the city of Buffalo, particularly under Section 15, of Title 3, of the Revised City Charter or the ordinances thereof, and that the City Clerk serve said keeper with a copy of this resolution. Adopted.

By Ald. Adams—That this Council does hereby designate the centre point of the Market buildings as the starting point for all measurements hereafter to be made in arriving at the 1,000 feet designated and prescribed by the city ordinances, in which no license shall be granted.

Ald. Allen moved to so amend the said resolution that it direct that the starting point for measuring shall be at the nearest point of the Market ground.

Alp. Hopkins moved as an amendment to the motion of Ald. Allen that the starting point shall be the nearest point of the market building instead of the market ground. Amendment accepted by Ald. Allen.

Ald. Felton moved that the whole subject be referred to the Committee on Markets, with directions to report thereon at the next meeting of the Council. Lost.

The motion of Ald. Allen, as amended by the motion of Ald. Hopkins, was then carried. Ayes, 16; Noes, 5.

Ald. Adams moved that the vote last taken be reconsidered. Lost.

And the said resolution as amended, was then adopted by the following vote: Ayes, 12; Noes, 9.

By Ald. Yaw—That the Fire Marshal be authorized to purchase fifty-two feet of double rivited hose. Referred to the Committee on Fire.

Ald. Adams moved that this Council do now adjourn.—Carried.

The resolutions remaining on the desk of the Clerk at the adjournment of the Council, were by him referred to appropriate Committees as follows:

That Exchange street, at the crossing at Van Renssalaer street be repaired.

That Huron street, between the State Reservation Line and Niagara street be repaired. Referred to the Committee on Streets.

That a sidewalk on the sontherly side of Miami street between a point 500 feet westerly from Alabama street and Louisiana street, be constructed.

That a cross walk on the south side of Spring street, across Batavia street, be constructed.

That a crosswalk across Miami street, on the easterly side of Louisiana street, be constructed. Referred to Committee on Side and Cross Walks.

That the action of the Porter of the City Buildings in purchasing 6 cords of soft wood, for the use of the city, be sanctioned by this Council. Referred to Committee on Public Grounds.

That Ferry street, between Elmwood Avenue and Niagara street be repaired.

That a crosswalk across Eleventh street, on the northerly side of York street, be constructed.

That the wood culvert across Connecticut street, on the northeasterly side of Sixth street, be repaired. Referred to Committee on New Territory.

The Common Council adjourned to meet next Monday afternoon, December 23d, 1861, at two o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 44.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Dec. 23d, 1861,
At 2 o'clock, P. M.

Present—Ald. Adams, Allen, Beckwith, Brush, Crowder, Dayton, Felton, Grass, Hannovan, Hopkins, Jones, Mills, Palmer, Russell, Rutter, Savage, Scheu, Storck, Swartz, Walsh, Wheeler, and Yaw.

Absent—Ald. Bemis, Dorr, Goembel, and Pratt.

In the absence of the President, Ald. Storck was called to the Chair.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM HIS HONOR THE MAYOR.

BUFFALO, December 21, 1861.

To the Hon. Common Council:

GENTLEMEN—I return without approval a resolution adopted on the 16th inst., directing the City Attorney to cancel a fine imposed on Mrs. Eleanor Johnson by Justice Shattuck, on the 20th of September.

I learn that the fine was imposed for keeping a disorderly house. I have returned the resolution, believing that fines imposed for such purposes should in no instances be remitted; I have repeatedly returned with my objections resolutions of this character, and would advise that your honorable body refuse to remit all fines that have been imposed by the request or action of city officers.

I have been served with summons to appear before Charles Gardner, Esq., Justice of the Peace, on the 30th inst., to answer to the complaint of Joseph Lareau.

Respectfully,

F. A. ALBERGER, Mayor.

Ald. Beckwith moved that such communication be received and filed, and that so much thereof as relates to the suit of Joseph Lareau be referred to the City Attorney, with instructions to defend. Carried.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

GENTLEMEN—I respectfully report that the sums below named will be required to pay principal and interest falling due on the 27th and 31st instant, and on the 1st and 2d proximo, upon city bonds, as follows, viz:

On $35,000 7 per cent. bonds, issued December 27, 1853, interest payable at this office on the 27th instant	$1,225 00
On $36,000 6 per cent. bonds, issued December 31st, 1853, interest payable at the office of Duncan, Sherman & Co., on the 31st inst.,	1,080 00
On $150,000 7 per cent. bonds, issued July 1, 1852, interest payable on the 1st proximo, at the office of Duncan, Sherman & Co.,	5,250 00
On $1,000 6 per cent bonds, issued January 2d, 1857, interest payable at this office on the 2d proximo	60 00
Principal due at the same time and place	1,000 00
On $22,000 7 per cent. special bonds, issued July 1, 1858, interest payable on the 1st proximo, at Duncan, Sherman & Co.'s office	770 00
On $30,000 7 per cent. special bonds, issued July 1, 1859, interest payable on the 1st proximo, at New York, same office	1,050 00
On $60,000 7 per cent. special bonds, issued July 1st, 1860, interest payable at this office said 1st day of January, 1862	2,100 00
On $86,000 7 per cent. bonds, issued July 1st, 1861, interest payable on said 1st proximo, at Duncan, Sherman & Co.'s, New York	3,010 00
Commission to Duncan, Sherman & Co., at ¼ per cent	19 50
Premium on draft, at ⅛ per cent	55 90
Total	$15,620 40

I recommend that orders be drawn in my favor as follows, for the payment thereof:

Upon the general fund, 1861, estimate for principal on funded debt	$1,000 00
Upon the general fund, 1861, estimate for interest on the funded debt	7,662 55
Upon the tax loan fund	6,957 85
Total, as above	$15,620 40

ALONZO TANNER, Comptroller.

Filed, and orders directed to be drawn.

The Comptroller also reported the amounts which would be due on the first proximo to the Judges of the Superior Court, and the several City Officers, for salary for quarter ending Dec. 31st, 1861; also the amounts due to the Clerks employed in his office, for services during the month of December; and recommended that orders be drawn for same, deliverable on or after the 31st instant. Filed, and orders directed to be drawn.

The Street Commissioner reported the amounts due to the Clerks employed in his office, for services during the month of December; also the amount due Richard Paul, for services as Keeper of Johnson Park to Jan. 1st, 1862. Filed, and orders directed to be drawn.

FURTHER FROM THE STREET COMMISSIONER.

Mr. Isaac Holloway asks for a payment to apply on his contract for constructing a brick sewer in the centre of Hamilton street, from the easterly curb line of N agara street to the Erie Canal.

Amount of said contract is $215 90.

Amount paid on the same is nothing.

Amount of work done and not paid, $215 90.

Amount proposed to pay at this date is $200.

The sewer is completed, and the undersigned recommends that orders be drawn on the Local Fund for said sewer in said Holloway's favor for that amount, as proposed. L. J. WATERS, Street Commissioner.

Ald. Swartz moved that such communication be received and filed, and that orders be drawn as recommended. Carried.

FURTHER FROM THE STREET COMMISSIONER.

By the direction of the Special Committee on Black Rock Parks the undersigned caused the gravel walks in the two Parks, on Prospect Hill, fronting on Niagara street, to be completed, the expense for labor in doing the same is $42 28; and the following named persons were employed as teamsters and laborers, the number of days and at the price severally as hereinafter specified, and he recommends that orders be drawn on the fund for improving the Parks of Prospect Hill. in favor of the various persons for the amount due each severally, as follows, to wit:

Thomas O'Hara, for 2 days team labor at 20s	$5 00	
2½ days labor at 7s	2 18	$7 18
Bryant Boyle, for 2½ days team labor at 20s	6 25	
2½ days labor at 7s	2 18	8 43
Martin Corcoran for 2 days team labor at 20s.		5 00
Henry Battle ,for 5 days team labor at 20s		12 50
Patrick O'Brian, for 2½ days labor at 7s		2 18
Bartholemew Mennin, 2½ days labor at 7s		2 18
Thomas McKenzie, 1 day labor at 7s		0 88
Timothy O'Keif, 2½ days labor at 7s		2 18
Bryant Boyle, 2d, for 2 days labor at 7s		1 75
Total amount to be paid		$42 28

L. J. WATERS, Street Commissioner.

Filed and orders directed to be drawn.

The City Surveyor reported the amounts due to the clerks employed in his office for services during the month of December. Filed and orders directed to be drawn.

FROM THE SUPERINTENDENT OF SCHOOLS.

Peter Burgard, wood contractor for the Public Schools, delivered one half cord of wood to District No. 22, which was not included in his bill.

I recommend that an order be drawn in favor of Peter Burgard for one dollar and 88-100, being in full for wood for Public School No. 22.

SANFORD B. HUNT,
Superintendent of Schools.

Filed, and orders directed to be drawn.

FURTHER FROM THE SUPERINTENDENT OF SCHOOLS.

Wesley Emmons and John Wild ask for an order of five hundred dollars, in part payment on their contract for building a Primary School House in District No. 15. The whole amount of the contract was $1,844. They have had an order for $700, leaving $1144 unpaid. The work is nearly complete and will be finished this week.

I certify that more than $500 is now due them, and recommend that an order be drawn in favor of Wesley Emmons and John Wild for five hundred dollars, chargeable to local fund of District No. 15.

SANFORD B. HUNT,
Superintendent of Schools.

Filed and orders directed to be drawn.

FURTHER FROM THE SUPERINTENDENT OF SCHOOLS.

In the pay roll roll passed last week the following error occurred:

Mary Bush, No. 20, served one week more than she was allowed.

Charlotte McMillen, No. 8, was allowed salary at only $200 per annum, instead of $225.

I recommend, therefore, that an order be drawn in favor of Mary Bush for four dollars and 44-100, being one weeks salary at $200 per annum; and in favor of Charlotte McMillen for four dollars and 45-100, being the difference, for eight weeks, between $200, and $225 per annum.

SANFORD B. HUNT, Sup't. of Schools.

Filed and orders directed to be drawn as recommended.

FROM THE FIRE MARSHAL.

By direction of your honorable body I contracted with Henry Swartz and Fred. Shiefer to build a brick barn in the rear of the house formerly occupied by engine company No. 3. on Genesee street, for $400.

The barn is nearly completed, and the contractors ask for a payment on the contract of $800.

Amount of contract is	$400 00
Amount paid is nothing	
Amount asked for is	300 00
	$100 00

I would respectfully recommend that an order be drawn in favor of Swartz & Schiefer, to apply on said contract.

D. KISSOCK, Fire Marshal.

Filed and order directed to be drawn as recommended, and the subject matter of the balance of such communication referred to the Committee on Fire.

The Fire Marshal also reported the amounts due the employees of the Fire Department, for services during the month of December.

Filed and orders directed to be drawn.

The Receiver of Taxes reported the amounts due to the employees in his office, for services during the month of December. Filed and orders directed to be drawn.

The City Clerk reported the amounts due to the employees in his office for services during the month of December. Filed and orders directed to be drawn.

The written resignation of De Witt Clinton of the office of Commissioner of Deeds for the City of Buffalo was presented. Filed, and resignation accepted.

Whereupon Ald Adams offered the following:

Resolved, That C. A. Clark be and he is hereby appointed a Commissioner of Deeds in and for the City of Buffalo, in place of De Witt Clinton, resigned. Adopted.

The following communication was received:

To the Hon. the Common Council of the City of Buffalo:

I hereby resign the office of Alderman from the Seventh Ward in the City of Buffalo, to take effect from the date hereof.

Oil City, Pa., Dec. 17th, 1861.

FREDERICK M. PRATT.

Ald. Adams moved that such communication be filed, and that the resignation therein contained be accepted.

Ald. Beckwith moved to refer said communication to the Committee on Police. Lost. Ayes, 7; Noes, 18.

The motion of Ald. Adams was then carried. Ayes, 15; Noes, 6.

Whereupon Ald. Adams offered the following:

Resolved, That the Common Council of the City of Buffalo does hereby order a special elention to be held in the Seventh Ward of said city, on Friday, January 3d, 1862, for the purpose of electing an Alderman for said Ward, to fill the vacancy occasioned by the resignation of Frederick M. Pratt, this day presented, and the City Clerk is hereby directed to cause the necessary notice of such election, to be published according to the provisions of the City Charter.

Ald. Felton rose and objected to the reception of said resolution, for the reason that the same could not be entertained until the order of business "Motions, Resolutions and Notices," was reached.

The Chair decided that said resolution was in order.

Ald. Dayton moved to so amend said resolution, that it read, "that the Common Council do now proceed to canvass the votes cast for the office of Alderman to fill vacancy of the 7th Ward, at the last annual election.

Ald. Palmer objected to the reception of the motion of Ald. Dayton, for the reason that the Common Council had not ordered a special election for Alderman of 7th Ward to fill vacancy.

The Chair decided that the objection of Alderman Palmer was well taken, and that the motion of Alderman Dayton could not be received.

Ald. Adams moved the previous question, which was ordered.

The resolution offered by Ald. Adams was then adopted. Ayes, 13; noes, 8.

Assessment roll No. 2398—for widening, straightening, and enlarging Buffalo Creek, at the Toll Bridge, on Ohio street, by excavating a channel on the northerly side of said creek. Amount—$5,935, the time for the consideration of which, and the hearing of parties interested therein had been fixed for to-day was taken up.

Ald. Palmer moved that the time for the further consideration of said roll, and the hearing of parties interested therein be postponed for one week. Carried.

Assessment roll No. 2569. For the purpose of paying the just compensation awarded to the owners of the land and property taken to lay out Carlton street, from Main street to Genesee street, together with the costs and expenses of ascertainment. Amount—$3,573 67, the time for the consideration of which, and the hearing of parties interested therein, had been fixed for to-day, was taken up, and an opportunity given to parties interested to be heard, and no person appearing to object to the confirmation of said roll.

Ald. Hopkins moved that such roll be annulled. Carried.

The following communication was received:

To the Honorable the Common Council of the City of Buffalo:

The Board of Supervisors at their recent sitting, passed a resolution to have petitions printed for circulation through the County, to repeal the law for the increase of Supervisors in the city, and a Committee of three of its members was appointed to visit Albany to urge its repeal; also on the 18th inst., a resolution was adopted, appropriating $1,000 out of the County Treasury to defray expenses of said Commissioners and otherexpenses, of course eve ry effort on the part of the city members to defeat theseresolutions were entirely powerless.

The city members of the Board feel that it is highly important your honorable body should take immediate meaures to counteract the efforts, that may be brought to bear upon this question.

In behalf of the city members of the Board of Supervisors,

T. R. STOCKING,
Supervisor 11th Ward.

December 23d, 1861.

Ald. Hopkins moved that such communication be filed and that the subject matter thereof be referred to the Mayor City Attorney, and Committee on Finance. Carried.

Also the following was received:

To the Honorable the Common Council of the City of Buffalo:

In pursuance of a resolution of Your Honorable Body requesting the same, I have prepared the annexed statement of fines received at the Erie County Penitentiary during each year for four years, ending with the month of September, 1861, viz:

From Oct. 1st, 1857, to Sept. 30th, 1858—From fines imposed by Watch House Justices (one year), $707 70. Police Justice, assault and battery cases, $385 25; larceny, $92 50. Justices of the Peace, on execution, $18 95; on public intoxication, $13. Court of Sessions, $55. Superior Court, $2. Total, $1269 60.

From October 1st, 1858, to Sept. 30, 1859—From fines imposed by Watch House Justices, $754. Police Justice, assault and battery cases, $298 90; larceny, $57 50; Justice of the Peace, on assault and battery cases, $45; larceny, $13 50; execution, $11 50. Court of Sessions, $200. Superior Court, $22. Total, $1427 40.

From Oct. 1st, 1859, to Sept. 30, 1860—Fines imposed by Watch House Justice, $575 70. Police Justice, assault and battery cases, $286 69; public intoxication, $11 75; larceny, $6. Justices of the Peace, on assault and battery cases, $48; larceny, $18 36; public intoxication, $33 72; execution, $39 99. Court of Sessions, $99. Superior Court, $175. Total, 1289 21.

From October 1st, 1860, to Sept. 30, 1861—From fines imposed by Watch House Justices, $1141. Police Justice, on assault and battery cases, $137 38; larceny, $56 50; public intoxication, $23 29. Justices of the Peace, on assault and battery cases, $160 25; public intoxication, $51 54; larceny, $19 50; execution, $33 24; malicious mischief, $6. Superior Court, $274. Court of Sessions, $50. Total, $1952 70.

Included in the above there have been received from the following towns, viz:

Lancaster, $25; Alden, $10; Clarence, $12 12; Newstead, $5.

The above is a statement of fines received at Erie County Penitentiary from Oct. 1, 1857, to Sept. 30, 1861. There are no books or dates in my office, from which I can make a statement in detail of the fines received during the years 1856 and 1857.

Respectfully, H. S. CUNNINGHAM,
Superintendent.

Filed, and subject matter referred to the Comptroller, City Attorney and Chairman of the Committee on Finance

PETITIONS.

Of James S. Lyon (2) for declaration of sale on lot on the north side of Seneca street, part of outer lot No. 95, lying 807½ feeteast of Spring street, and being 48 feet front by 90 feet deep.

Of John T. Tilley for same on lot on the notheast side of Niagara street, part of Block No. 200, lying 100 feet southeast of Hampshire street, and being 48 feet front to Ninth street.

Of same for same on lot on the southwest side of Ninth street, part of Block No. 188. lying 150 feet northwest of Rhode Island street, being 50 feet front by 132 feet deep.

Of same for same on the east side of Spruce street, part of outer lot No. 121, lying 175 feet north of Batavia street, being 25 feet front by 106 feet deep.

Of J. Dart, Jr., to have tax sale cancelled.

Of John H. Moore, for correction of tax. Referred to Committee on Finance.

Of G. W. Gilman, to have the Firemen's Register corrected. Referred to Committee on Fire.

Of N. Britton and others, to prohibit selling or peddling copper, tin or sheet iron ware in the public streets or markets. Referred to the Committee on Markets.

Of D. M. Joslyn and others, against laying out and grading Perry street any further. Referred to Committee on New Territory.

Of Andrew Williams, for fireman's certificate.

Of Francis X. Winkler, for same.

Of John Swartz, for same. Referred to the City Clerk with power.

Petition of Martin Beyer, for permission to erect a wooden addition to his establishment, used as a photographic gallery, at the corner of Michigan and Sycamore streets.

Ald. Storck moved that the prayer of the petition be granted, under the direction of the Fire Marshal, and subject to the further order of this Council. Carried. Ayes 15; noes 0.

Petition of Jacob Schenkelberger, for the release of Frank Hartman from confinement in the Erie Co. Penitentiary.

Ald. Palmer moved that the prayer of the said petition be granted. Carried. Ayes 19; noes 0.

Petition of S. S. Kellogg, for the release of William Strickland from confinement in the Erie County Penitentiary.

Ald. Palmer moved that the prayer of the said petition be granted. Carried. Ayes 18; noes 0.

ACCOUNTS REFERRED.

M. G. Gilbert, for making statement of fines received at Penitentiary. Referred to Committee on Finance.

Felthousen & Russell, for labor and materials for School Districts No. 7 and 38.

H. H. Otis, for library books for sundry schools.

George Orr, for labor and material for School District No. 28.

Elder & Stearns, for mats for schools.

Levi J. Waters, for wood for schools.

Valentine Bibus, for sawing wood for schools. Referred to Committee on Schools.

S. D. Colie, for repairing plank road in Swan to intersection of Seneca street.

Isaac Holloway, for gravelling and cleaning gutters on Delaware street, from Virginia to Utica street.

A. S. Swartz, for repairing the bridge across Erie Slip No. 2, on River street.

Jacob Benzinger, for repairing Seneca street, between Emslie and Van Rensselaer street.

George Miller, for repairing Georgia street, at the intersection of Chippewa street. Referred to Committee on Streets.

S. D. Colie, for repairing sidewalk on southerly side Miami street, between Alabama and 500 feet westerly.

Same, for repairing sidewalk on northerly side Seneca street and 429 feet west of Aurora plank road.

Same, for repairing sidewalk on south side Seneca street, between Hydraulic and Van Rensselaer street.

Same, for repairing sidewalk on westerly side Hamburgh street, between Fulton and Elk streets.

Same, for repairing sidewalk on westerly side Hamburgh street, between Perry street and the bridge.

Same, for repairing sidewalk on northerly side Ohio street, between Columbia and Michigan street.

Same, for repairing sidewalk on easterly side Chicago street, between Miami and Ohio streets.

Same, for repairing sidewalk on southerly side Perry street, between Hamburgh and Red Jacket streets.

W. I. Williams, for repairing sidewalk on northerly side Lock street, between Erie street and Terrace.

Same, for repairing sidewalk on southerly side Lock street, between Erie street and Terrace.

George Miller, for repairing crosswalk across Batavia street, on westerly side of Pine street.

Whitmore, Rathbun & Co., for constructing stone crosswalk across Emslie street, on northeasterly side of Swan street. Referred to Committee on Side and Crosswalks.

Sidney Shephard, three accounts for repairs to steam fire engines.

T. B. French, for hose cart for Fire Department.

Same, for repairs for Fire Department.

Marsh & Co., for feed for Fire Department.

Sage & Tucker, for sundries for Fire Department.

George Orr, for hay for Fire Department.

John Lorenz, for labor for Fire Department. Referred to Committee on Fire.

Buffalo Water Works, for supply of water for quarter.

Same, for repairing hydrants.

John Gisel, for consteucting well near corner of Evans and Peacock street. Referred to Committee on Water.

Ensign Bennett, for surveying for City in 1855.

A. M. Clapp & Co., 15 accounts, for printing, &c, for city.

John D. Smith, for sundries for Jubilee Water Works.

William F. Robinson, for use of room for election purposes.

John Lang, for use of room for election purposes. Referred to Committee on Claims.

George B. Mitchell, for commitments to Penitentiary. Referred to Committee on Police.

William Farmer, Jr., for repairing wood culvert across Delaware street, about 800 feet northerly of Bird street.

Same, for repairing wood culvert across Amherst street on westerly side of Delaware street.

Same, for repairing wood culvert across Bird avenue on easterly side of North Washington street.

Same, for constructing wood culvert across Thompson street, on southerly side of Austin street.

Same, for constructing sidewalk on west side of Niagara street, between Amherst and Hamilton streets.

Same, for repairing sidewalk on west side of Niagara street, between Hamilton and Austin streets.

E. F. Blackmond, for repairing wood culvert across Clinton avenue, on east side of North Washington street.

Same, for repairing plank crosswalk on Delavan avenue, on easterly side of North Washington street.

W. I. Williams, for repairing wood culvert across Ninth street, on southerly side of Vermont street.

Same, for reconstructing wood culvert across Vermont street, on easterly side of Sixth street.

N. Scheubrier, for repairing wood culvert across Brown street, on easterly side of Jefferson street. Referred to Committee on New Territory.

REPORTS OF COMMITTEES.

Ald. Hopkins, from the Committee on Finance, reported in favor of the adoption of the following resolutions:

That Gordon Bailey on behalf of the Receiver of Taxes be and is hereby authorized to employ such additional assistance in his office as he may require to aid him in making return of the General City Tax Rolls of 1861, at an expense not to exceed $250. Adopted.

That John T. Tilley have leave to withdraw his petition, and the proofs accompanying same, in which he asks for a declaration of sale on tax scrip No. 2998, of the sale of June 1st, 1859. Adopted.

Ald. Wheeler, from the Committee on Schools reported in favor of allowing the following accounts, and of drawing orders for same:

Valentine Bibus, for sawing wood for schools—$59 50.

John Regar, for same for school house No. 14—$2 25.

W. Chase & Son, for chairs for school house No. 4—$15.

Same, for chairs for school house No. 14—$13 50.

Same, for desks, &c., for school house No. 16—$28.

Dudley Brothers, for stove, &c. for school district No. 31—$25 54.

W. Chase & Son, for chairs for school house No. 32—$13 50.

Elder & Stearns, for mats for school house No. 32—$3 75.

Felthousen & Russell, for labor &c., for sundry school houses—421 14

D. C. Weed & Co., for sundries for schools—$24 81.

D. Taylor, for same—$13 18. Adopted.

Ald. Palmer from the Committee on Streets reported in favor of the adoption of the following resolutions:

That the Street Commissioner cause Huron street between State Reservation line and Niagara street, to be repaired, by opening the gutters on the southerly side of said street, at an expense not exceeding $12, and report. Adopted.

That the Street Commissioner cause Exchange street at the crossing of Van Rensselear street, to be repaired over the sewer by raising the pavement, at an expense not to exceed $6, and report. Adopted.

Also reported in favor of directing the City Assessors to make assessments as follows:

Assess $50 for repairing Canal street between Commercial and State streets. Adopted.

Assess $50 for repairing Fourth street between Court and Carolina streets. Adopted.

Also reported in favor of allowing the following accounts, and of drawing orders for the same.

D. C. Weed & Co. for sundries for Public Parks, $4 25.

Lauren Williams for repairing the wood culvert across Hickory street, on the northerly side of Sycamore street, $4 96.

A. D. Mortin, for repairing Jefferson street, between South Division and Swan streets, $9 90.

George Miller, for repairing Erie street, between Franklin street and the Terrace, $1 25.

W. I. Williams, for repairing the bridge across Prime Slip on Prime street, $8 72. Adopted.

Ald. Brush, from the Committee on Sewers, reported in favor of directing the City Assessors to make an assessment as follows:

Assess $12, for a deficiency in a former assessment for constructing a brick sewer in Maple street, from the termination of the present sewer in Maple street, to Virginia street, (so called,) as provided in Sec. 32 of Title 8 of the City Charter. Adopted.

Also, reported in favor of the adoption of the following resolution:

That the Street Commissioner is hereby authorized and directed to contract with Alfred H. Giddings for constructing a brick sewer in Maple street, from the termination of the present sewer in Maple street to Virginia street, (so called,) at a sum not exceeding $509 97, for the reason of the death of Mr. Lynch, the lowest bidder, and said Giddings being the next lowest bidder; and that the resolution passed October 14th, 1861, directing the Street Commissioner to contract with Patrick Lynch for constructing the above-named sewer, is hereby repealed. Adopted. Ayes, 21 Noes, 0.

Also reported in favor of allowing the following account and drawing orders for the same:

A. H. Giddings, for constructing sewer in Hickory street, from the sewer in Clinton street to a point 100 feet southerly from William street, by contract balance due—$305 92. Adopted.

Ald. Swartz, from the Committee on Side and Crosswalks, reported in favor of the adoption of the following resolutions:

That the owners of the land on the southerly side of Miami street, between a point 500 feet westerly from Alabama street and Louisiana street, cause a sidewalk to be constructed in front of their respective lots, four feet wide, of good new hemlock plank three inches thick, within five days, and if not done within that time then the Street Commissioner cause the same to be done at an expense not exceeding $80, and report. Adopted.

That the Street Commissioner cause the crosswalk across Mortimer street, on the southerly side of Sycamore street, to be repaired, at an expense not to exceed $6, and report. Adopted.

That the Street Commissioner cause a plank crosswalk, across Miami street, on the easterly side of Louisiana street, to be constructed, at an expense not to exceed $8, and report. Adopted.

That the Street Commissioner cause the crosswalk across Batavia street, on the southerly side of Spring street, to be repaired, at an expense not to exceed $10, and report Adopted.

That the Street Commissioner cause the crosswalk across Spring street, on the southerly side of Sycamore street, to be repaired, as an expense not to exceed $6, and report. Adopted.

Also reported in favor of directing the City Assessors to make assessments as follows:

Assess $56 for repairing the side walk on the southerly side of Swan street, between the westerly curb line of Kinney alley, and a point 580 feet westerly therefrom.—Adopted.

Assess $12 80 for repairing the sidewalk on the southerly side of Swan street, between Spring and Jefferson streets. Adopted.

Assess $11 42 for repairing the sidewalk on the southerly side of Pennsylvania street, between Niagara and Ninth streets. Adopted.

Assess $12 24, for repairing the sidewalk on the southwesterly side of Peacock street, between Evans and Norton streets. Adopted.

Also reported in favor of adopting the following resolutions:

That the Street Commissioner cause the crosswalk across Pratt street, on the southerly side of Clinton street, to be repaired at an expense not to exceed $5 and report. Adopted.

That the Street Commissioner cause the plank cross walks across Sandusky and Tecumseh streets, on the west side of Hamburgh street, to be repaired at an expense not to exceed $10 each, and report. Adopted.

Also reported in favor of allowing the following account, and drawing orders for the same:

George Miller, for repairing the cross walk across Chippewa street, on the westerly side of Ellicott street.—$4 88. Adopted.

Also reported in favor of the adoption of the following resolution:

Resolved, That an order be drawn on the Local Improvement Fund, in favor of Frederick Schiefer, for six-eight-one-hundred dollars in full for reconstructing a plank crosswalk across Hickory street on the northerly side of Genesee street, and that so much of the report of the Committee on Side and Crosswalks passed September 23d, 1861, as directs an order to be drawn on the above-named Fund in favor of said Schiefer for the above-named sum for reconstructing plank crosswalk across Hickory street, on the northerly side of Jefferson street, be, and the same is hereby repealed, and that the City Clerk is hereby directed to cancel said order directed to be drawn as aforesaid, on the said 23d day of September. Adopted.

Ald. Yaw, from the Committee on Fire, reported in favor of allowing the following accounts, and of drawing orders for the same:

D. C. Weed & Co., for sundries for Fire Department, allowed at $4 75.

Peter Schmal, for labor and materials for same—$5 25.

Warren & Bros., for same—$13.

N. H. Gardner, for leather for same—$3 06.

Philander Amsden, for one span of horses for same—$275.

Edwin Rose, for use of horses for same—$2 50.

H. S. Chamberlain, for reservoir covers—$12.

E. B. Lyman, for sundries for Fire Department—$30 60. Adopted.

Also in favor of the adoption of the following resolution.

That permission be and is hereby granted to W. H. Vollmer to erect a wooden car, 8 by 24 feet and 8 feet high, to be used as an Ambrotype Gallery, on the vacant lot, corner of Oak and Batavia streets, such building to be erected under the direction of the Fire Marshal, subject to the further order of the Council, and to be completed within three monihs. Adopted. Ayes, 17; Noes, 0.

Also reported that the Committee on Fire had directed the Fire Marshal to rent for the use of the Fire Department an old barn of F. Colligon, for the sum of $25, for rent of same from December 17th, 1861 to May 1st, 1862, and would recommend that their action in the premises be approved. Filed and action approved.

Ald. Jones from the Committee on Water, reported in favor of the adoption of the following resolution:

That the Street Commissioner is hereby authorized and directed to contract with John Drexler for deepening the public well at the corner of Hickory and Clinton streets, by drilling the rock at the bottom of the same, in accordance with his specifications for doing the work at a sum not exceeding $6 50-100 per foot in depth, at an agregate amount not exceeding $100. Adopted.

Also, in favor of allowing the following accounts, and of drawing orders for same:

Klein & Dobinson, for repairing Pump to the Well at the corner of Eagle and Cedar streets—$1 50.

Same, for do. at the corner of Hayward and Perry streets—$1 88.

Same, for do. at the corner of Washington and Exchange streets—$1 50.

Same, for repairing do. on North Division street, between Washington and Ellicott streets—$2 25

Same, for do. at the corner of Main street and the Terrace—$9 13. Adopted.

Ald. Dayton, from the Committee on Claims, reported in favor of allowing the following accounts, and of drawing orders for same:

Alonzo Tanner, for disbursements—$3 97.

J. W. A. Meyer, for same—$1 93.

Hiram Atwood, for same—$1 13.

D. C. Weed & Co., for sundries for city offices—$4 24.

Felthousen & Russell, for labor at Council Chamber—$2.

S. Sawin, for repairs at City Buildings—$3 84.

John Derr, assignee of F. M. Derr, for stone furnished for Jubilee Water Works—$40 50.

N. B. Olver, for setting glass in city offices, allowed at —$2 75.

Joseph Blaser, for use of rooms for election purposes, 2d district 6th ward, allowed at—$7 50.

James Sullivan, for same, 2d district 1st ward, allowed at—$7 50.

E. R. Jewett, for same, 1st district 2d ward, allowed at —$8.

Wm. Hughes, for same, 1st district 3d ward, allowed at —$7 50.

G. H. Smith, for same, 2d district 8th ward, allowed at —$7 50.

Otis F. Presbrey, for revising and compiling City Charter—$200. Adopted.

Ald. Mills, from the Committee on Police, reported in favor of allowing the account of Frederick Hanes for policemen's clubs—amount $12 50—and of drawing an order for the same. Adopted.

Also, reported in favor of drawing an order for $1 50, in favor of each of the following named persons, viz:—Peter Britz, Francis H. Reiman, C. C. Harris, J. B. Mason, and Mathew Scuh—in full for their respective services as special policemen, Nov. 5, 1861. Adopted.

Also, reported in favor of the adoption of the following resolution:

That the fine imposed Nov. 15, 1861, by Justice Lampman, on Harlow French and Nicholas Pitkin, of $10 each, be remitted, and that orders be drawn to refund said fine. Adopted. Ayes 21; Noes 0.

Ald. Storck, from the Committee on Markets, reported in faver of allowing the following accounts, and of drawing orders for same:

Kellogg & Bonnell, for shovel for Elk Street Market—$1 25.

Jacob Bautz, for repairs at Elk Street Market—$4 50.

J. G. Turner, for setting glass at markets—$19 81.

Breed, Butler & Co., for Stationery for Clerk of Markets—$0 70.

C. Bauer, for stove pipe, &c., for Clinton Market—$4 35.

F. C. Hill, for repairing hydrants at Elk Street market —$13 80. Adopted.

Ald. Allen, from the Committee on Wharves, Harbors and Ferries, reported in favor of allowing the following accounts, and of drawing orders for the same:

Thos. Dunbar, for balance due on contract for dredging Buffalo Harbor, $55 02.

W. R. Strong, for same, $201 45.—Adopted.

Also reported in favor of directing an order to be drawn in favor of Charles Thorn, for services in superintending the dregding of Buffalo Harbor; amount $30.—Adopted.

Ald. Wheeler, from the Committee on Public Grounds, reported in favor of allowing the following accounts, and drawing orders for same:

Charles Kaumier, for brooms furnished for Court House Park, $1 84.

Richard Paul, for cutting and trimming trees, Franklin Square, $2 62.

Same, for same, Court House Park, $2 62 —Adopted.

Also reported in favor of adopting the following resolution:

That the action of the Porter of the City Buildings, in purchasing six cords soft wood at $2 50 per cord, for the use of the city, be and is hereby sanctioned by this Council.—Adopted.

Ald. Crowder, from the Committee on New Territory reported in favor of adopting the following resolutions:

That the Street Commissioner cause Seneca street, on the southerly side between Smith street and the old City Line to be repaired, at an expense not to exceed $10, and report. Adopted.

That the Street Commissioner cause the wood culvert across Connecticut street, on the northeasterly side of Sixth street to be repaired, at an expense not to exceed $6, and report. Adopted.

That the Street Commissioner cause a plank crosswalk across Eleventh street, on the northerly side of York street, to be constructed at an expense not to exceed $8, and report. Adopted.

That the Street Commissioner cause the bridge across William street, between the New York Central and the Buffalo, N. Y. & Erie Railroad, to be repaired, at an expense not to exceed $16, and report. Adopted.

That the Street Commissioner cause a culvert across East street, on the south side of Austin street to be reconstructed, at an expense not to exceed $6, and report. Adopted.

That the street Commissioner cause the wood culvert across Ninth, on the southeast side of Vermout street, to be repaired at an expense not exceeding $7, and report. Adopted.

That the Street Commissioner cause the bridge across Scajaquada Creek, on Delaware street, to be repaired, at an expense not to exceed $4, and report. Adopted.

Also reported in favor of directing the City Assessors to make assessments as follows:

Assess $13 24, for constructing a stone culvert across Tonawanda street on the north side of Amherst street. Adopted.

Assess $6 48, for constructing a cross walk across Hamilton street, on the westerly side of Dearborn street. Adopted.

Assess $2 16, for constructing a sidewalk on the easterly side of Niagara street, at the junction of Hampshire street, on the northerly side of Hampshire street.—Adopted.

Asses $2 08, for construeting a sidewalk on the easterly side of Niagara street, at the junction of Rhode Island street, on the northerly side of Rhode Island street.—Adopted.

Assess $2 08, for constructing a sidewalk on the easterly side of Niagara street, at the junction of Rhode Island street, on the southerly side of Rhode Island street. —Adopted.

Assess $2 16, for constructing a sidewalk on the easterly side of Niagara street, at the junction of Massachusett street, on the northerly side of Massachusetts street.—Adopted.

Assess $9 60, for constructing a wood culvert across Farmer street, on the easterly side of Niagara street. Adopted.

Also reported in favor of allowing the following accounts, and of drawing orders for same.

William Farmer, for repairing the sidewalk on the southerly side of Amherst street, between Tonawanda street and the State Ditch—$15 99.

Same, for repairing the crosswalk across Eleventh street, on the southeast side of Vermont street—$3 70.

A. D. Morton, for repairing Elk street, about 400 feet easterly from Smith street—$10 56. Adopted.

Also reported in favor of the adoption of the following resolution:

Resolved, That Chase & Bird, Shoemaker, Stewart & Co., and Wm. A. Bird be permitted to pay the taxes assessed to them respectivly on roll No. 2325, "for repairing Niagara street, from the centre line of Bird street to

Cornelius Creek, by planking a roadway," without any addition of interest thereon, and the Receiver of Taxes is hereby authorized and directed to receive from the said parties herein named the amount of the taxes charged to them respectively on the said roll No. 2825, without any addition of interest in full payment for such taxes. Adopted.

SPECIAL COMMITTEES.

Ald. Hopkins, from the Special Committee on Black Rock Parks, reported in favor of allowing the following accounts, and drawing an order for same:

Edward L. Stephenson, assignee of J. A. H. Hasbrouck by Amasa Mason, agent, for furishing trees in the Parks on Prospect Hill, fronting on Niagara st.,	$1, 793 98	
Less am'nt paid on deliv'y of trees....	1,619 10	$174 88
Deduct for dead trees not replaced.		16 00
Balance due.....		$158 88

—Adopted.

MOTIONS, RESOLUTIONS AND NOTICES.

By Ald. Storck,—That the Committee on Public Markets be, and the same are hereby authorized to cause six lamps to be placed on the four side building of the Washington Market, at an expense not to exceed $20 each; said improvement being highly necessary, and generally demanded by the holders of stalls and stands in and outside of said market, as much of their property has been damaged or stolen during the night for reason that the ground is not properly lit by gas. Adopted.

By Ald. Swartz—That an order for $200 be drawn on the General Fund, 1861, Market Department, in favor of C. Booram, for use of horse and buggy during the year 1861. Adopted.

Ald. Jones moved that this Council do now adjourn. Carried.

The resolutions remaining on the desk of the Clerk at the adjournment of the Council were by him referred to appropriate Committees, as follows:

That the culvert across Louisiana street, between the railroad and Mackinaw street, be repaired. Referred to the Committee on streets.

That the Street Commissioner be directed to expend $25 in working Perry street, between the old city line and Dole street, the present winter.

That a crosswalk across Dearborn street, on the south side of Amherst street, be constructed.

That a crosswalk across Dearborn street, on the south side of Hamilton street, be constructed. Referred to the Committee on New Territory.

The Common Council adjourned to meet next Monday afternoon, December 30th, 1861, at two o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 45.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Monday, Dec. 30th, 1861,
At 2 o'clock, P. M.

Present—Asaph S. Bemis, Esq., President of the Council and Ald. Adams, Allen, Beckwith, Brush, Crowder, Dayton, Dorr, Felton, Goembel, Hannovan, Hopkins, Jones, Russell, Rutter, Savage, Scheu, Storck, Swartz, Walsh, Wheeler, and Yaw.

Absent—Ald. Grass, Mills and Palmer.

The minutes of the last meeting were approved.

COMMUNICATIONS FROM HIS HONOR THE MAYOR.

BUFFALO, MAYOR'S OFFICE,
December 30, 1861.

To the Honorable the Common Council of the City of Buffalo:

GENTLEMEN—I return without my approval the resolutions below described and which were adopted at the last session of your honorable body:

1st.—A resolution directing an order to be drawn in favor of Charles Kawmeyer on the General Fund of 1861, on account of the Public Ground Department.

2d.—A resolution directing an order to be drawn in favor of Wm. R. Strong, on the fund for dredging Buffalo harbor inside of the north pier.

3d.—A resolution directing orders to be drawn on the Police Department, for the purpose of remitting fines imposed by Justice Lampman, Nov. 15th, 1861.

4th.—The resolutions directing sundry orders to be drawn in favor of Charles Thorn, to pay him for his services in superintending the dredging of Buffalo Creek.

5th.—A resolution directing an order to be drawn in favor of Otis F. Presbrey, for two hundred dollars, to pay for his services for compiling city charter, ordinances, &c.

6th.—A resolution ordering a special election to be held in the seventh ward of this city, for the purpose of electing an Alderman in place of Frederick M. Pratt, resigned.

7th.—A resolution annulling assessment roll 2569 for the purpose of paying the just compensation awarded to the owners of the land and property taken to lay out Carlton street, from Main street to Genesee street, together with the costs and expenses of ascertainment, amount $3,573 67.

8th—A resolution authorizing and directing the Receiver of Taxes to receive from certain parties the amount of the taxes charged to them respectively on the said roll No. 2,325, without any addition of interest in full payment for such taxes.

The objection to the First resolution is that the account proposed to be paid was made in 1860, and should be paid from the funds of that year instead of the present.

To the Second resolution. That the expense of dredging the Creek, inside the north pier, is chargeable to two funds—one a general fund, the other a local. Orders, equal in amount, should be drawn on the two funds, instead of being drawn upon the one.

To the Third resolution. That no provision was made in the estimates of expenditure made for the Police Department, and that drafts of this character, in addition to similar one's thus drawn, has created, or will create a deficiency in that department. I have learned that there are good reasons why the penalties in this case should be remitted, and would therefore advise that the orders be drawn on the fund for City Attorney's legal expense department.

To the Fourth and Fifth resolutions, is that both of the persons named therein are employees of the city, and the receipts of salaries fixed by the Common Council prior to their appointments, and, consequently, of their acceptance of their respective positions. I think that section 8 of title 3, revised City Charter, is intended to prevent proceedings of this kind, it reads as follows: "The Common Council shall pay, by way of salary or otherwise, the several persons appointed by it, or elected by virtue of this act, to any office or place, a reasonable compensation for their respective services. Such compensation shall be fixed before the election or appointment of any officer, *and shall not be changed during his term.*"

The oath of city officers recites, "and that I will faithfully discharge the duties of the office of ——— of the City of Buffalo, according to the best of my abilities."

It is my opinion that no officer has any legal claim for any services performed for the city during his term of office, other than his stated salary, and all payment received by an officer, either by fees, perquisites, or pay for extra service, is an immoral procedure, and the exercise of it dangerous to the public good. I returned a resolution of like character with my objections to your Hon. Body, on the 3d of June last.

To the Sixth resolution. That as the charter contains no provision as to the length of public notice to be given for the holding of special elections, it is proper to be governed by its requirements as to such notices, in the section refering to annual elections. If this conclusion is correct, the election, if held under the resolution, would be illegal, because sufficient time was not given to complete the requisite notification. Sec. 10, Title 2, is as follows: "The City Clerk shall give notice, in writing, of every annual city election to the inspectors of elections, in the several election districts of the city, at least eight days before the day of election, and shall publish a previous notice once a week, for two weeks, in three daily papers of the city, specifying the time of the election, the places of holding the polls in the several election districts, the time of closing and opening the polls, and the list of officers to be elected." It is questioned whether the late election law, known as the "Registry Act," does not supersede our election law, and that the management of elections should be under its provisions. Without attempting to argue this point, I refer the matter back to your Hon. Body, recommending that you again order a special election, to be held in the 7th Ward of this city, and that sufficient time be given, so that the election laws may be complied with.

To the seventh resolution. That proceedings were taken by the Common Council to take and appropriate the land necessary to lay out Carlton street from Main street to Genesee street, August 5th, 1859, by their giving notice of intention. On the 26th of September the Council determined to take and appropriate land, and gave notice that they should make application for the appointment of Commissioners. The City Attorney reported on the 23d of January, 1860, that Commissioners had been duly appointed, viz: Elijah Ford, Charles Daniels and Job Gorton. The report of the Commissioners was presented and announced to the Council on the 12th of March, and a time designated for the hearing of parties who had filed objections to said report being confirmed After several hearings the report of the Commissioners for laying out Carlton street, and estimating the damages due to parties, by reason of making said street, was confirmed, and the lands so taken became public property, and the city became charged with the payment of the damages for taking said lands, as determined upon by said Commissioners. The street has been so laid out, and no action can now be taken to rescind the report, unless by the written consent of two-thirds of all the persons owning land adjoining such street or highway, and by the payment of awards for damages. Thus it will be seen that the city cannot evade payment of the awards, and if not raised by local assessment will be compelled to pay from general fund, and thus the entire tax-paying community be assessed for the benefit of a few interested in this local work.

The Common Council directed an assessment to be levied, as per the resolution returned on the 26th of November, 1860, which assessment the City Clerk reported to the Council on the 4th of March, and that objections had been filed against the confirmation of said assessment. After hearing said objections, and frequent postponements the roll was referred back to the assessors for reconsideration. Said roll after receiving due attention from the Board of Assessors was returned to the Common Council, and the assessment as received was in all respects similar to the first.

The City Clerk reported, on the 9th inst., that said roll had remained in his office more than ten days, and that objections had been filed against said roll. A hearing was set down, for the 23d inst., and on that day, although no one "appeared to object to the confirmation of said roll," your honorable body annulled same.

It will be seen that proceedings were commenced in August, 1859, and that the Commissioners' report was confirmed on the 12th of March, 1860, and that no provision has been or can be made for the payment of such awards except by a local assessment.

If the Assessors are ordered to make another assessment, I am assured that it will be similar to the others, because they have carefully made such assessment, and have every confidence in its justness and correctness. I have returned this resolution, because the awards for damages should be paid by the parties interested, and because some members of your honorable body were not aware of the position this matter would be placed by the annulling of the roll.

To the Eighth resolution, That Sec. 32, Title 8, Revised City Charter, declares that "If on any assessment more money than is necessary for the purpose shall be raised, the excess shall be credited to future repairs and maintenance of the improvement." I beg to refer to my messages on this subject, of March 19th, 1860, and June 10th, 1861. It has been the decision of my predecessors in this office, that where there is found no irregularities or illegality in the proceedings levying taxes, there is no power to remit the same or any portion thereof, and I have never doubted the correctness of their position.

Respectfully, F. A. ALBERGER, Mayor.

Ald. Storck moved that so much of the communication from His Honor the Mayor, as relates to order for Chas. Kawmeyer, be referred to the Committee on Public Grounds.

Ald. Savage moved to lay the whole communication on the table temporarily. Lost.

The motion of Ald. Storck was then carried.

Ald. Storck moved that so much of said communication as relates to order for Wm. R. Strong be referred to the Committee on Wharves, Harbors and Ferries. Carried.

Ald. Storck moved that so much of said communication as relates to the remission of certain fines be referred to Committee on Police. Carried.

Ald. Storck moved that so much of said communication as relates to order for Charles Thorn, be referred to the Committee on Wharves, Harbors and Ferries. Carried.

Ald. Storck moved that so much of said communication as relates to order for Otis F. Presbrey, be laid upon the table temporarily. Carried.

Ald. Storck offered the following as the disposition to be made of that portion of the Mayor's Communication relating to a Special Election in the Seventh Ward.

Resolved, That the Common Council of the city of Buffalo does hereby order a special election to be held in the Seventh Ward of said city, on Friday, January 31st, 1862, for the purpose of electing an Alderman for

said Ward, to fill the vacancy occasioned by the resignation of Frederick M. Pratt. The polls will be opened and held for the purpose of said election as follows:

First District—At the house of Frank Winter, corner Goodell and Oak streets.

Second District—At the house of Martin Frank, corner Michigan and Best streets.

Third District—At the house of Joseph Yarhouse, corner Cherry and Hickory streets.

And the City Clerk is hereby directed to cause the necessary notice of such election to be published and given according to the provisions of the City Charter.

Ald Beckwith offered the following:

Resolved, That the whole subject of a special election in the Seventh Ward, to fill a vacancy occasioned by the resignation of Ald. Pratt, be referred to a special committee of five, to be appointed by the President, and that such committee enquire and report with all convenient speed whether Ald. Pratt had or had not become a non-resident of the said Ward prior to the last annual election. Lost; ayes, 8; noes, 13.

The question being on the adoption of the resolution offered by Ald. Storck

Ald. Felton moved that such resolution be referred to the Committee on Finance, with instructions to report thereon at the next meeting of this Council. Lost. Ayes, 9; Noes, 11.

Ald. Felton then moved that the whole subject be laid on the table until the next meeting of this Council, to be taken up under the order of Reports from the Committee on Finance.

Ald. Adams moved the previous question, which was ordered.

The said resolution offered by Ald. Storck was then adopted. Ayes, 13; Noes, 8.

Ald. Storck then moved that so much of the communication from his Hon. the Mayor, as relates to the assessment roll for the purpose of paying the awards, &c., in the matter of laying out Carlton street, be referred to the Committee on Streets. Carried.

Ald. Storck moved that so much of the said communication as relates to the Receiver of Taxes being authorized to receive certain taxes charged upon assessment roll No. 2,325, without interest, be referred to the Committee on New Territory. Carried.

FURTHER FROM HIS HON. THE MAYOR.

MAYOR'S OFFICE,
Buffalo, Dec. 30, 1861.

To the Hon. Common Council:

GENTLEMEN.—I herewith nominate to your honorable body the persons below named to fill the offices to which they are respectively nominated.:

Henry Acton, to be police constable, in place of John F. E. Plogstead, resigned Dec. 7, 1861.

Peter Rohe, jr. to be policeman, in place of Julius Scheffel, resigned this date.

Jacob Weber, to be policeman in place of Peter Carr, resigned December 27, 1861.

John Bletzer, to be policeman in place of Frank Nicholas, removed.

Respectfully,

F. A. ALBERGER, Mayor.

Ald. Adams moved that such communication be received and filed, and that the consent of this Council be given to the appointment of the persons therein nominated.

Ald. Felton moved that said communication be referred to the Committee on Police.

Ald. Adams moved the previous question which was ordered.

The motion of Ald. Adams, viz: that such communication be received, filed, and the consent of this Council given to the appointment of the several persons therein nominated was then adopted. Ayes, 13; Noes, 8.

OFFICERS OF THE CORPORATION.

FROM THE COMPTROLLER.

GENTLEMEN—On the 9th inst., you directed an order drawn in favor of Leonard Crocker for $75, for superintending repairs in 1860 and 1861, on breakwater along shores of Lake Erie, from outer lot No. 50 to the southerly bounds of the city. This order I have withheld for the reason that the fund is good for $37 15 only, and I recommend that an order for this last named sum be drawn in his favor in full for his account, and that the one of $75 be cancelled.

I also report that an insurance has been effected on the primary department in School District No. 15, at an expense of $13 50 and I recommend that an order for this sum be drawn in favor of A. A. Eustaphieve, Secretary, on the local fund in said district, in full payment of said insurance.

ALONZO TANNER, Comptroller.

Ald. Hopkins moved that such communication be filed and that the recommendations therein contained be adopted. Carried. Ayes, 18; Noes, 0.

FURTHER FROM THE COMPTROLLER.

GENTLEMEN—In pursuance of chapter 764 of the laws of New York, passed April 17, 1857, the undersigned, with his Honor the Mayor and City Treasurer, have, after duly advertising for proposals, made a contract with Rockwell & Baker, agents, for doing all the job printing for the city for the year 1862, their proposal being found to be much the lowest of any proposition received.

The Board at the same time proceeded to take evidence, as required by said act and the Post Office regulations, as to the newspaper having the largest, actual *bona fide* circulation, to be designated as the official paper for the year 1862. There were three contestants, viz: The *Evening Courier and Republic*, *Morning Express* and *Buffalo Commercial Advertiser*, and after various adjournments, and after receiving all the evidence to be obtained or offered, the Board awarded the publication of all ordinances and other matters required by law, or the ordinances of said city, or by resolutions of the Common Council, to the *Buffalo Commercial Advertiser*, as the newspaper having the largest, actual *bona fide* circulation within the city limits, for thirty days next preceding the 21st day of December, 1861, and said paper to be the official paper for the city for the term required by said act and the award aforesaid. The contracts, bonds and award have all been completed and approved, and are now on file in this office. The testimony taken is also on file in this office.

ALONZO TANNER, Comptroller.

Ald. Storck moved that such communication be received and placed on file. Carried.

FURTHER FROM THE COMPTROLLER.

On the first proximo, there will be due, of principal and interest on bonds numbered from 1 to 36, inclusive, issued by the late village of Black Rock, for the supply of water in the Parish Tract, as follows:

	Principal.	Interest.	Total
Bond No. 1	$80 00	$5 60	$85 60
" 2	80 40	2 13	82 53
" 3	12 00	84	12 84
" 4	60 00	4 20	64 20
" 5	67 10	4 70	71 80
" 6	80 00	2 10	82 10
" 7	70 00	4 90	74 90
" 8	80 00	2 10	82 10
" 9	80 00	2 10	82 10
" 10	80 00	2 10	82 10
" 11	80 00	2 10	82 10
" 12	15 00	1 05	16 05
" 13	10 00	70	10 70
" 14	5 00	35	5 35
" 15	10 00	70	10 70
" 16	80 00	2 10	82 10
" 17	25 00	1 75	26 75
" 18	6 00	42	6 42
" 19	5 00	35	5 35
" 20	10 00	70	10 70
" 21	4 00	28	4 28
" 22	1 00	07	1 07
" 23	3 49	24	3 73
" 24	50 00	3 50	53 50
" 25	23 00	1 61	24 61
" 26	5 00	35	5 35
" 27	2 10	14	2 24
" 28	70	05	75
" 29	80 00	2 10	82 10
" 30	15 00	1 05	16 05
" 31	4 50	32	4 82
" 32	14 00	98	14 98
" 33	11 00	77	11 77
" 34	3 30	23	3 53
" 35	10 00	70	10 70
" 36	10 00	70	10 70

I would recommend that orders be drawn in my favor for the several total amounts, with number of bond, in full payment for such principal and interest—such orders to be entitled to interest after the first day of January, 1862.

ALONZO TANNER, Comptroller.

Ald. Storck moved that such communication be filed and that orders be drawn as recommended. Carried.

FROM THE STREET COMMISSIONER.

The undersigned reports the following named repair made, and works completed in accordance with directions of your Honorable Body, at the expense severally, as hereinafter specified, to wit:

ON STREETS.

Church street repaired, between the easterly line of Delaware street and the Terrace—$84 63.

Erie street, repaired between Franklin street and the Terrace—$1 25.

Canal Street, repaired between Commercial and State streets—$50.00.

Culvert repaired across Hickory street, on the northerly side of Sycamore street—$4 96.

Fourth street, repaired between Court and Carolina streets—$50.

Jefferson street, repaired between South Division and Swan streets—$9 90.

Elk street, repaired about 400 feet easterly from Smith street—$10 56.

Huron street, graded and paved, from the westerly curb line of Morgan street, to the New York State Reservation line, by contract—$1,151 06.

Culvert repaired across Brown street, on the easterly side of Jefferson street—$4 34.

Seneca street, repaired between Emslie and Van Rensselaer streets—$69 75.

Bridge repaired, across Erie Slip, (No. 2.) on River street—$100.

Bridge repaired, across Prime Slip, on Prime street—$8 72.

High street, repaired between Mulberry and Locust streets—$9 41.

Pratt street, repaired between Clinton and William streets—$6 81.

Huron street, repaired between the State Reservation line and Niagara street—$12.

Bridge repaired across the Erie Canal, on Evans street—$3 24.

Wood culvert, reconstructed across Carlton street, on the easterly side of Maple street—$7 48. Referred to the Committee on Streets.

ON SEWERS AND RECEIVERS.

Sewers repaired in Union street near Eagle street—$4 91.

Sewer repaired in Pearl street, 165 feet northerly from Seneca street—$1 07.

Sewer and receiver repaired at public well on South Division street, between Cedar and Hickory streets—$8 31.

Sewer and receiver repaired at the northwest corner of Center and Seneca streets—$9 78.

Sewer and receiver repaired at the northwest corner of Heacock and Exchange streets—$7.

Sewer repaired in the alley on the south side of Seneca street, between Main and Washington streets—$8 62.

Receiving sewer repaired on the west side of Main street, opposite Quay street—$6 77.

Sewer and receiver repaired at the southeast corner of Michigan and Cherry streets—$5 18.

Sewer and receiver repaired at the southeast corner of Oak and Goodell streets—$6 66.

Sewer, constructed, by contract, in Hickory street from a sewer in Clinton street, to a point 100 feet southerly from William street—$505 92. Referred to the Committee on Sewers.

ON SIDE AND CROSSWALKS.

Crosswalk constructed of plank across Eagle street, on the westerly side of Cedar street—$8 04.

Crosswalk repaired across Red Jacket street, on the southerly side of Perry street—$6 56.

Crosswalk constructed of plank across Grosvenor

street, on the southerly side of North Division street—$5 50.

Crosswalk repaired across Mackinaw street, on the easterly side of Chicago street—$5 92.

Crosswalk repaired across Miami street, on the easterly side of Chicago street—$6.

Sidewalk constructed, of plank, on the easterly side of Washington street, between Carlton and Virginia streets —$98.

Sidewalk repaired on the easterly side of Main street, between Virginia street (so called) and Carlton streets—$50.

Sidewalk repaired on the southerly side of Swan street, between Spring and Jefferson streets—$12 80.

Sidewalk repaired on the southerly side of Swan street, between the westerly curb line of Kinney's alley and a point 580 feet westerly therefrom—$58 08

Sidewalk on the southerly side of Fulton street, between Chicago street and Ohio Basin Slip—$17 10.

Sidewalk repaired on the southerly side of Miami street, between Alabama and a point 500 feet westerly therefrom—$79 86.

Sidewalk repaired on the southerly side of Perry street between Hamburgh and Red Jacket streets—$27 78.

Sidewalk repaired on the easterly side of Chicago street, between Miami and Ohio street—$17 32.

Sidewalk repaired on the westerly side of Hamburg street, between Fulton and Elk streets—$3 06.

Sidewalk repaired on the southerly side of Seneca street, between Hydraulic and Van Rensselaer streets—$17 70.

Sidewalk repaired on the southerly side of Hamburg street, between Perry street and the bridge crossing the ditch at the head of the Main and Hamburg Canal—$28 80.

Sidewalk repaired on the northerly side of Ohio street, between Columbia and Michigan streets—$15 66.

Sidewalk repaired on the northeasterly side of Ninth street, between Virginia and Rhode Island streets—$47 90.

Sidewalk repaired on the westerly side of Hickory street, between William and Clinton streets—$47 72.

Sidewalk repaired on the southerly side of the Cazenovia Terrace, between Lock and Seneca streets—$8 64.

Crosswalk constructed of plank across Spring street, on the southerly side of Batavia street—$8 00.

Crosswalk constructed of plank across Carlton street, on the west side of Oak street—$8 00.

Sidewalk repaired on the east side of Walnut street, between Sycamore and Batavia streets—$51 68. Referred to the Committee on Side and Crosswalks.

IN THE NEW TERRITORY.

Bridge constructed across a ravine on Williamsville road, about 200 feet southerly from Clinton street—$40 96.

Amherst street repaired, from Niagara street to Tonawanda street—$49 00.

Amherst street repaired, between the Military Road and Tonawanda street—$49 80.

Amherst street repaired, between the Military Road and the State Ditch—$24 80.

Culvert repaired across Mason street, between Auburn Avenue and Breckenridge street—$14 13.

Niagara street graded and paved from the northerly line of Amherst street to the northerly line of Hamilton street—$2,825 14.

Culvert repaired across Clinton Avenue, on the easterly side of North Washington street—$7 25.

Culvert across Farmer street, on the easterly side of Niagara street—$9 60.

Bridge repaired on William street, between the New York Central and the Buffalo, New York and Erie Railroads—$15 80.

Culvert constructed of stone across Tonawanda street, on the northerly side of Amherst street—$13 24.

Crosswalk repaired across Eleventh street, on the southeast side of Vermont street—$3 70.

Sidewalk constructed on the easterly side of Niagara street, at the junction of the northerly side of Rhode Island street—$2 08.

Also, at the junction of the southerly side of Rhode Island street—$2 08.

Also, at the junction of northerly side of Massachusetts street—$2 16.

Also, at the junction of northerly side of Hampshire street—$2 16.

Crosswalk constructed across Hamilton street, on the westerly side of Dearbornstreet—$6 48.

Sidewalk repaired on the southerly side of Amherst street, between Tonawanda street and State Ditch—$15 99.

Sidewalk constructed of stone, on the southerly side of Amherst street, between Niagara and Dearborn streets—$119 12.

Crosswalk repaired across Delevan Avenue, on the easterly side of North Washington street—$2 39.

Culvert repaired across Delaware street, about 800 feet northerly from Bird street—$5 76.

Culvert repaired across Bird Avenue, on the easterly side of North Washington street—$4 97.

Culvert repaired across Amherst street, on the westerly side of Delaware street—$3 88.

Sidewalk constructed on the west side of Niagara street, between Amherst and Hamilton streets—$5 28.

Sidewalk repaired on the west side of Niagara street, between Hamilton and Austin streets—$20 18.

Culvert constructed across Thompson street, on the southerly side of Austin street—$6 16.

Seneca street repaired between Emslie and VanRensselaer streets—$69 75.

Sidewalk repaired on the northerly side of Seneca street between Emslie street and a point 429 feet west of the Aurora Plank Road—$100.

Culvert repaired across Connecticut street, on the northerly side of Sixth street—$6.

Sewer constructed, by contract, in Hamilton street, from the easterly curb line of Niagara street to the Erie Canal —$215 90.

Genesee plank road repaired in front of sundry lots between Jefferson street and a point one mile northeasterly from Jefferson street—as per order July 22d, 1861—$19 68.

Sidewalk repaired by filling on the westerly side of Niagara street, between Hamilton and Austin streets—$25.

L. J. WATERS, Street Commissioner.

—Referred to the Committee on New Territory.

FURTHER FROM THE STREET COMMISSIONER.

On the 9th day of April, 1860, you directed "the Street Commissioner to notify the owners of property fronting on Main street, between Utica street and Scajaquada Creek, to remove the buildings, fences, &c., from said street within 30 days, and if not done in that time, the Street Commissioner cause the same to be done, and report the expense." Since that time the undersigned notified the several parties in compliance with your directions, and all the obstructions have been removed, except in front of property owned by Augustus Barr, and the several Estates of William Miller and James McLeish. The persons representing the two first have from time to time promised to remove the obstructions, but the last Estate have refused, and claim title to the land; and the Attorney for the Heirs of James McLeish informed the undersigned that he should bring action against the Street Commissioner personally for trespass, should he execute said order. Therefore, the undersigned respectfully asks that your honorable body take such action as will make the City liable for all damage, and protect and defend the Street Commissioner in the premises.

L. J. WATERS, Street Commissioner

Referred to Committee on New Territory.

FROM THE SUPERINTENDENT OF SCHOOLS.

In paying off the teachers on the last pay-roll, the order of Miss Georgina McMaster, Principal of Primary Department in No. 13, was drawn at $44 44, instead of $57 77, the latter being the correct amount. The mistake was corrected at the Erie County Savings Bank, on my representation, and I recommend that an order be drawn in favor of Georgina McMaster for $13 33, subject to the claim of the Erie County Savings Bank.

SANFORD B. HUNT,
Superintendent of Schools.

Ald. Wheeler moved that such communication be received and filed, and that an order be drawn as recommended. Carried.

Wesley Emmons and John Wild have completed their contracts for building a Primary School house in District No. 15, and the work has been duly accepted by myself. The work has been done in a good and substantial manner and in compliance with the terms of the contract. They have hitherto received orders, in part payment, to the amount of twelve hundred dollars, thereon. I now recommend that an order be drawn in their favor on the local fund of School District No. 15, for six hundred and forty-four dollars ($644,) being in full payment and discharge of the amount due them on the above named contract.

I beg leave to state in addition, that the new school house will be ready for occupation on Monday next; that the total expense of building and completely furnishing it will but little exceed $2,300; and that I have insured the building for $1,500, and the furniture for $300, in the Buffalo Mutual Insurance Company—the policy bearing date from noon of Saturday, December 28th. I have also deemed it advisable to put coal stoves in the new building, and to make an experimental trial as to the comparative cost of coal and wood for fuel in the Schools. I am confident that a sound economy requires the substitution of coal for wood at an early day,

SANFORD B. HUNT,
Superintendent of Schools.

Filed, and orders directed to be drawn as recommended.

The City Treasurer reported the amount due the Clerk employed in his office for services during the month of December. Filed, and order directed to be drawn.

The City Assessors reported the amount due to the Clerk employed in their office for services during the month of December. Filed, and order directed to be drawn.

FROM THE FIRE MARSHAL.

I would respectfully report that on January 1st next, there will have accrued $781 25 rent on steam fire engine "Niagara," and $312 50 on steam fire engine "Seneca," and would respectfully recommend that orders be drawn in favor of Sidney Shepard for these amounts, respectively to apply on the rent of said steam fire engines.

I would also respectfully recommend that an order for $300 be drawn in favor of Sidney Shepard to apply on rent of the steam fire engine "Huron;" also an order of $300 in favor of Sidney Shepard to apply on rent of steam fire engine "Perry."

D. KISSOCK, Fire Marshal.

Ald. Yaw moved that such communication be received and filed, and that orders be drawn as recommended. Carried. Ayes 13; Noes 3.

FURTHER FROM THE FIRE MARSHAL.

I would respectfully report that, with the approval of the Committee on Fire, I have rented a barn of F. Colligon in the rear of the steam fire engine "Perry;" house on Perry street, until the 1st of May next for $25.

D. KISSOCK, Fire Marshal.

Filed and action approved.

FURTHER FROM THE FIRE MARSHAL.

I would respectfully report that I have with the approval of the Committee on Fire, sold to Messrs. Pratt & Co. an old hand fire engine (No. 8) with six lengths of old hose for $420, which I have deposited in the City Treasury.

D. KISSOCK, Fire Marshal.

Filed and action approved.

FROM THE CHIEF OF POLICE.

Morris H. Alberger has resigned his position as Clerk in my office, to take effect this day. I desire to fill the place by nominating William Robinson, and ask your honorable body to confirm such nomination.

GEO. DRULLARD, Chief of Police.

Ald. Felton moved that such communication be referred to the Committee on Police.

Ald. Adams moved that the same be filed, and that the nomination therein contained be confirmed.

The question was taken on the motion of Ald. Felton, and the same was carried.

Ald. Felton moved that this Council do now adjourn. Lost. Ayes, 8; Noes, 18.

The Chief of Police also reported the amounts due to the Captains of Police clerk and Policemen for services during the month of December, amount $2,268 74.

Also the amounts due to sundry persons for cleaning

the various Police Stations during the same month, amounts $30 00.

Ald. Adams moved that orders be drawn in favor of the several persons for the amounts reported due them respectively, except in the case of Julius Sheffell, and that an order for $32 84 be drawn in favor of said Sheffel, being the amount reported as due to him less one days salary. Carried.

The Clerk of the Markets reported the amounts due to the Porters of the several Markets for services during the month of December. Filed and orders directed to be drawn.

The Overseer of the Poor reported the amount due to Donald Bain, clerk employed in his office, for services during the months of July and December. Filed and orders directed to be drawn.

FROM THE CHIEF ENGINEER OF THE FIRE DEPARTMENT.

The undersigned would respectfully report, that many firemen who entered the fire department with the expectation that at the end of five years faithful service they would be enabled to procure a certificate that would warrant their exemption from military and jury duty, who have at great expense and loss of time prepared and equipped themselves for the duties of firemen, that now find themselves, after having faithfully served in the department from three to four years, in consequence of the disbanding of their companies upon the introduction of the steam engines, unable to complete the term of service requisite to the procurement of their certificates, and consequently deprived of the benefit of the firemen's benevolent fund, which they have aided in accumulating; the few remaining companies being located at so great a distance from their residences that it is next to impossible for them to serve the remainder of their five years term in those companies.

The undersigned would therefore respectfully suggest to your honorable body the propriety of obtaining such amendments to the city charter as shall enable the Common Council to grant certificates of exemption to all firemen who shall have faithfully served three and one-half years in the fire department.

WILLIAM TAYLOR, Chief Engineer.

Referred to the Committee on Fire and City Attorney.

The City Clerk reported that the following assessment rolls had remained on file in his office more than ten days since the first publication of a notice in the city paper, that the same were so filed, and that persons interested therein might file application for the correction of the same, and that no such applicaion had been filed with him, viz:

No.	Amount ordered by Common Council.	Amount added by Assessors.	Total amount of Assessment.
2570—For the purpose of payment for land purchased in School District No. 33, and the building, furnishing and repairs of the school house therein and the appurtenances thereto..	$3000 00	$5 00	$3005 00
2571—For repairing the Military Road from Amherst street to the old city line....	50 00	2 00	52 00
2572—For repairing the Military Road from the State Ditch to the city line.....	49 50	1 50	51 00
2573—For repairing the carriageway on the westerly side of Cazenovia Terrace from the crosswalk on the easterly side of Court street to a point 100 feet southerly therefrom....	65 00	1 00	66 00
2574—For repairing and maintaining the public well and pump No. 31, located on the south side of William street..	30 00	2 00	32 00
2577—For reconstructing sewer and receiver at the northeast corner of South Division and Michigan streets.....	9 13	0 87	10 00
2578—For repairing the sewer in the sidewalk on the easterly side of Pine street, passing the well at the north-east corner of South Division and Pine sts.	9 99	1 00	10 99
2579—For constructing a wood culvert across Austin street, on the easterly side of Niagara st.	14 82	1 18	16 00
2580—For constructing a wood culvert across Bird street, on the easterly side of the Military Road	6 96	1 00	7 96
2581—For constructing a plank sidewalk on the westerly side of Oak street, between the southerly side of Virginia st., (so called) and Carlton street,	100 00	0 80	100 80
2582—For repairing sidewalk on the westerly side of Elm street, between the northerly line of Batavia street and a point 115 feet northerly therefrom.....	3 00	0 80	3 80
2583—For repairing a sidewalk on the westerly side of Hamburgh street, between Fulton and Perry streets.....	6 42	0 83	7 25
2584—For repairing sidewalk on the north side of Swan street, between the New York Central Railroad and Seneca street...	23 47	1 00	24 47
2585—For repairing the sidewalk on the northerly side of Fulton street, between Alabama and Hamburgh streets.....	19 20	1 00	20 20
2586—For repairing sidewalk on the northerly side of South Division street, between Pine street and the east line of Public School Lot No. 6.....	4 16	0 84	5 00
2587—For repairing the sidewalk on the easterly side of North Washington street, between Bouck and Bird Avenues.....	22 88	1 12	24 00

2588—For repairing the plank sidewalk on the northerly side of Fulton street, between Chicago street and Ohio Basin Slip	59 74	1 20	60 94
2589—For constructing a plank crosswalk across South Division street, on the westerly side of Jefferson street	8 00	1 00	9 00
2590—For constructing a stone crosswalk across Ninth street, on the northerly side of Huron street	100 00	1 20	101 20

The following was received from the City Attorney:

I hereby report that I have examined an abstract of the proceedings of your honorable body, in regard to assessment rolls Nos. 2570 to 2574, both inclusive, and Nos. 2576 to 2590, both inclusive, and am of the opinion that said proceedings have been regular and in accordance with the provisions of the Charter.

GEORGE WADSWORTH,
City Attorney.

Filed.

Ald. Adams moved that all of the rolls mentioned in the foregoing communication from the City Attorney, except No. 2,570, be confirmed, and that orders be drawn in favor of the Comptroller to pay the expense of printing. Carried.

Ald. Adams then moved that the consideration of assessment roll No. 2,570 be postponed for three weeks. Carried.

The City Clerk also reported that the following named assessment roll had remained on file, in his office, more than ten days, since the first publication of a notice in the city paper, that the same was so filed, and that Geo. J. Rehm had filed an application for the correction of the same; viz:

No. 2,576—For repairing bridge across Prime Slip, on Canal Street, between Main and Lloyd streets—Amount, $74 80.

Ald. Beckwith moved that the time for the hearing of parties interested in such roll, &c., be fixed for three weeks, from to day. Carried.

Assessment Roll, No. 2898—For widening, straightening, and enlarging Buffalo Creek, at the Toll Bridge, on Ohio street, by excavating a channel on the northerly side of said creek—Amount, $5,985; the time for the consideration of which had been postponed until to-day, was taken up.

Ald. Adams moved that the time for the consideration of, and the hearing of parties interested in said roll, be fixed for three weeks from to-day. Carried.

The City Clerk also reported that at a meeting of the Board of Health, held December 28, 1861, the following accounts were audited and allowed by the Board, and by them referred to the Council with a request that provision be made for their payment, viz:

John Elliott, for services as Health Inspector for December—$46 50.

Geo. J. Reinhardt, for same—$46 50.

G. W. Vining for attending office Sundays from April 21, to Dec. 29, 1861, inclusive—$55 50.

Wm. Miller, for sundries for Pest House—$7 93. Filed and orders directed to be drawn.

FURTHER FROM THE CITY CLERK.

The City Clerk also reported that in sending to different cities the monthly statements of death as reported by the Health Physician, he has expended four 50-100 dollars; and that in the transmission of city charters, orders, &c., he had expended the further sum of two 50-100 dollars; and respectfully asked that orders be drawn on the various departments to reimburse him for such expenditure. Referred to the Committee on Claims.

The City Clerk also reported the amounts due to the Sergeant-at-Arms and Messenger of the Common Council for services for the 13 weeks ending December 30th. Filed, and orders directed to be drawn.

Ald. Storck moved that so much of the communication from the Mayor as returns without his approval the action of the Council had December 23d, 1861, in directing an order to be drawn in favor of Otis F. Presbery, for $200, for revising and compiling the City Charter and Ordinances, presented to the Council this day and laid upon the table, be now taken up. Carried.

Ald. Storck then moved that the action of the Common Council had December 23d, 1861, in directing an order for $200 to be drawn in favor of Otis F. Presbery on the General Fund 1861 Common Council Department, for revising and compiling the City Charter and Ordinances, be and the same is hereby re-adopted, and the City Clerk is hereby directed to draw an order for $200 on the General Fund 1861, Common Council Department, in favor of Otis F. Presbery, in full for his account for revising and compiling the Charter and Ordinances, notwithstanding the objections of His Honor the Mayor.

Ald. Hanovan moved that the whole subject be referred to the Committee on Finance. Lost.

And the motion of Ald. Storck was then carried. Ayes 18; Noes 3.

Ald. Adams moved that the Council do now adjourn, to meet next Friday, January 3d, 1862, at 2 o'clock P. M.

Ald. Felton moved the Council do now adjourn. Lost.

And the motion of Ald. Adams was then carried.

The Common Council then adjourned, to meet next Friday afternoon, January 3d, 1862, at 9 o'clock.

O. F. PRESBREY, City Clerk.

MINUTES No. 46.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
Buffalo, Friday, Jan. 3d, 1861.

Present—Aldermen Adams, Allen, Brush, Crowder, Dorr, Hopkins, Jones, Mills, Palmer, Russell, Rutter, Savage, Storck, Swartz, Wheeler and Yaw.

Absent—Aldermen Beckwith, Bemis, Dayton, Felton, Goembel, Grass, Hanovan, Scheu and Walsh.

In the absence of the President, Ald. Storck was called to the chair.

Minutes of the last meeting were approved.

COMMUNICATIONS FROM HIS HONOR THE MAYOR.

MAYOR'S OFFICE,
Buffalo, Dec. 31st, 1861.

To the Honorable Common Council:

GENTLEMEN—I am requested by the Union Defence Committee to ask your honorable body to draw an order in their favor for five thousand dollars.

The Committee have not sufficient funds on hand to pay the amount due to persons receiving semi-monthly payments.

I return without approval a resolution adopted at your last session, directing an order to be drawn in favor of G. W. Vining, for attending City Clerk's office, to give permits for burial on Sundays.

The objections to the resolution are the same as presented at your last meeting on the question of extra payments over the stipulated salaries. I returned a resolution providing for a payment similar to the above, on 3d of June last, to which I beg to refer.

Respectfully, F. A. ALBERGER, Mayor.

Ald. Adams moved that said communcication be received and filed, and that an order be drawn as recommended, and that the subject matter of the balance of said communication be laid upon the table for the present. Carried.

FURTHER FROM THE MAYOR,

MAYOR'S OFFICE,
Buffalo, Dec. 31, 1861,

To the Honorable Common Council:

Gentlemen—I herewith nominate to your Hon, Body the persons below named, to be policemen of this city:

Gerritt Huyck, in place of Richard B. Harrison, resigned December 31, 1861,

Michael Hennessy, in place of Edward Bennett, whose term of office expires this day,

Respectfully,
F, A. ALBERGER, Mayor,

Ald. Adams moved that said communication be received and filed, and that the consent of the Common Council be and the same is hereby given to the appointment by his Honor the Mayor, of the persons therein nominated as policemen. Carried.

FROM THE COMPTROLLER.

COMPTROLLER'S OFFICE,
Buffalo, Jan, 3, 1862.

To the Hon. Common Council of the City of Buffalo:

Gentlemen—There was due on the 1st inst,—Josiah Barnes $25.00; Cook & Lytle, $12.50; and N. Case $16.25; being for rent of rooms occupied by the Chief of Police. I would recommend that orders be drawn in their favor, respectively, for the above amounts, on the General Fund 1861, Police Department, in full payment thereof.

Respectfully,
ALONZO TANNER,
Comptroller.

Ald. Swartz moved that said communication be filed, and that orders be drawn as recommended. Carried.

FROM THE CITY ATTORNEY.

BUFFALO, Jan, 3, 1862,
City Attorney's Office,

To the Hon. Common Council of the City of Buffalo:

I hereby report that the action brought by James J. Baldwin against the City has been tried and decided in favor of the plaintiff. I recommend that an appeal be taken in said action,

Mr. Cutting, the City Attorney elect, is the Attorney for Mr, Baldwin, and if you determine to appeal, it will be necessary to employ counsel for the City,

Respectfully submitted,
GEORGE WADSWORTH, City Attorney.

Ald. Adams moved that said communication be filed, and that the present City Attorney be directed to appeal the suit therein referred to. Carried.

FROM THE STREET COMMISSIONER.

OFFICE OF THE STREET COMMISSIONER,
BUFFALO, January 3, 1862.

To the Hon. Commou Council:

GENTLEMEN—On the 28th of October last you awarded a contract to James McGlinn for constructing a brick and stone culvert across Clinton street, at a

Ravine between Bond street and the New York Central Railroad, and at the same time ordered an assessment for the amount of the proposal of McGlinn for doing the work, $283 36-100. On the 9th of December the assessment was confirmed and now Mr. McGlinn refuses to execute the contract. The improvement should be made before next Spring as the old bridge will be impassible, therefore the undersigned recommend that the resolution passed October 28th, 1861, directing the Street Commissioner to contract with said McGlinn for doing the above named work be rescinded and the work be awarded to one of the other bidders, and an assessment be ordered for the deficiency. The proposals of the other bidders are herewith submitted. Respectfully submitted,

L. J. WATERS, Street Commissioner.

Referred to the Committee on New Territory.

FURTHER FROM THE STREET COMMISSIONER.

OFFICE OF THE STREET COMMISSIONER,
Buffalo, Jan. 3d, 1862.

To the Hon. Common Council:

GENTMEMEN: In compliance with your direction the undersigned advertised for proposals for constructing a stone sidewalk on the southeast side of Carolina street, from the curb line on the northeast side of Seventh street, to the curb line on the southwest side of Niagara street, and have received the following; to wit:

From Whitmore, Rathburn, & Co., per lineal foot—50cts.

Since the above work was advertised I have been informed that Mr. Hemminway, as agent of the property fronting on the proposed walk, has made an agreement with a competent person to construct the walk, in accordance with the order of your Hon. body, and the work will be done as soon as the condition of the ground will admit, and the undersigned recommend that the parties be permitted to lay the walk, as it will be more satisfactory, and save an assessment to defray the expense, provided they do it within a reasonable time.

Recpectfully submitted,

L. J. WATERS,
Street Com'r.

Referred to the Committee on Side and Crosswalks.

FROM THE FIRE MARSHAL.

FIRE MARSHAL'S OFFICE,
Buffalo, Dec. 31, 1861.

To the Hon. Common Council:

GENTLEMEN: On the 23d inst., I omitted from the pay roll the name of Leander Joslyn, driver of Fire Engine Niagara. I would respectfully recommend that an order for $11,66 be drawn in his favor for services in full to January 1st, 1862.

D. KISSOCK, Fire Marshal.

Ald. Swartz moved that said communication be filed, and that an order be drawn as recommended.—Carried.

The City Assessors reported that there was $175 due to A. P. Dunlap for salary as Clerk in the City Assessors Office, for quarter ending Dec. 31st, 1861, and recommended that an order be drawn.

Filed, and order directed to be drawn.

The Chief of Police reported that the name of Philip Waltz was omitted in the pay roll of the Policemen, presented Dec. 30th, 1861, and recommended that an order be drawn in favor of said Waltz for $33,94, in full for his services as Policeman in December. Filed and order directed to be drawn as recommended.

A communication was received from Warren Lampman, Watch House Justice, showing that the amount of fines collected by him from January 8th to Dec. 31st, 1861, inclusive, was $4,382,00, oj which amount he had deposited $4,249,00 with the City Treasurer, and that he had still in his hands $133,00 ready to be deposited. Received and placed on file.

The following was presented:

CAMP GRIFFIN, VIRGINIA,
Dec, 26th, 1861

To the Hononorable the Common Council of the City of Buffalo:

GENTLEMEN:—Having been requested by the Committee of the Board of Supervisors to resign the office of Police Justice, I do hereby resign, the same to take effect from this date.

Respectfully yours, &c.,

D. D. BIDWELL.

Ald. Adams moved that the resignation be received, placed on file, and the office declared vacant. Carried.

Ald. Adams then offered the following:

Resolved, That the City Clerk lay before the Common Council the certificates of the Inspectors of Election of the several Election Districts of the City of Buffalo, of the result of the annual city election held in said city on the 5th day of November, 1861, so far as the same relate to the votes given for the office of Police Justice, to fill vacancy; and that he also lay before the Common Council the tabular statement of the result of said vote. Adopted.

The City Clerk then laid before the Council the certificates of the Inspectors of Elections of the several election districts of the City of Buffalo, of the result of the annual city election held in said city on the fifth day of November, 1861, so far as the same related to the votes given for the office of "Police Justice" and "Police Justice to fill vacancy," and also the following tabular statement.

TABULAR STATEMENT of the result of the votes cast for the office of Police Justice, and for the office of Police Justice to fill vacancy, at the annual City Election, held in and for the city of Buffalo, on Tuesday, the fifth day of November, in the year 1861.

NUMBER OF VOTES CAST IN EACH ELECTION DISTRICT.

For Police Justice	First Ward. First District.	First Ward. Second District.	First Ward. Third District.	Second Ward. First District.	Second Ward. Second District.	Second Ward. Third District.	Third Ward. First District.	Third Ward. Second District.	Fourth Ward. First District.	Fourth Ward. Second District.	Fourth Ward. Third District.	Fifth Ward. First District.	Fifth Ward. Second District.	Fifth Ward. Third District.	Sixth Ward. First District.	Sixth Ward. Second District.	Sixth Ward. Third District.	Seventh Ward. First District.	Seventh Ward. Second District.	Seventh Ward. Third District.	8th Ward First District.	8th Ward Second District.	Ninth Ward First District.	Ninth Ward Second District.	Tenth Ward First District.	Tenth Ward Second District.	11th Ward First District.	11th Ward Second District.	12th Ward First District.	12th Ward Second District.	13th Ward	Whole number of votes.
Isaac V. Vanderpoel	10	:	7	21	:	:	15	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	6	11	15	7	:	:	:	:	:	98
Alonzo Tanner	6	:	7	15	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	5	11	14	5	:	:	:	:	:	63
Cornelius A. Waldron	2	:	:	3	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	1	:	:	:	:	:	:	:	:	20
Spencer C. Coe	1	:	:	3	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	7
George B. Mitchell	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	6	:	:	:	:	:	:	:	:	:	:	6
Cyrus O. Poole	1	23	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	1	2	:	:	:	:	:	1
Police Just'e to fill vacancy	:	1	1	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	110	:	:	:	:	:	270
Alonzo Tanner	:	:	:	:	:	:	:	:	:	:	:	36	:	:	:	:	:	3	3	:	:	4	4	23	1	36	:	35	:	:	:	227
George B. Mitchell	:	:	:	:	:	:	:	:	:	:	:	26	1	:	:	:	:	:	:	:	:	:	:	1	6	2	:	25	:	:	:	27
Spencer C. Coe	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	5	:	:	:	:	:	5
Isaac V. Vanderpoel	:	:	:	:	:	:	:	:	:	:	:	:	9	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	9
I. V. Vanderpoel	:	1	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	1	:	:	:	:	:	1
Alonzo B. Tanner	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	1

Whereupon Ald. Adams offered the following:

Resolved, That Alonzo Tanner, having received the greatest number of votes, as appears from said tabular statement, be, and he is hereby declared duly elected Police Justice of said City of Buffalo. Adopted.

The following canvas and determination was then signed in duplicate by all of the Aldermen present:

We, the Common Council of the City of Buffalo, in the County of Erie and State of New York, do hereby certify that the following is the result of the votes given in the said City of Buffalo for the office of Police Justice and for the office of Police Justice to fill vacancy, at the Annual City Election, held in and for said City of Buffalo on the fifth day of November, in the year A. D. 1861, viz.:

That the whole number of votes given for the office of Police Justice was ninety-eight; of which Isaac V. Vanderpoel received sixty-three votes; and Alonzo Tanner received twenty votes; and Cornelius A. Waldrod received seven votes; and Spencer C. Coe received six votes; and George B. Mitchell received one vote; and Cyrus O. Poole received one vote.

That the whole number of votes given for the office of Police Justice to fill vacancy was two hundred and seventy; of which Alonzo Tanner received two hundred and twenty-seven votes; and George B. Mitchell received twenty-seven votes; and Spencer C. Coe received five votes; and Isaac V. Vanderpoel received nine votes; and I. V. Vanderpoel received one vote; and Alonzo B. Tanner received one vote.

And the said Alonzo Tanner, having received the greatest number of votes, is hereby declared duly elected Police Justice of the City of Buffalo to fill vacancy.

In witness whereof, we have hereunto subscribed our names at Buffalo this third day of January, A. D. 1862.

EDWARD STORCK,
JAMES ADAMS,
E. P. DORR,
ROBERT MILLS,
J. F. SWARTS,
JOEL WHEELER,
THOMAS SAVAGE,
WASHINGTON RUSSELL.
GEORGE R. YAW,
JACOB CROWDER,
N. K. HOPKINS,
EVERARD PALMER,
ALEXANDER BRUSH,
NATHANIEL JONES,
Z. G. ALLEN.

Ald. Adams then moved that the Common Council do now proceed to ballot for Police Justice of said city of Buffalo to fill vacancy. Carried.

The Common Council then proceeded to ballot for Police Justice to fill vacancy, and on such balloting fourteen votes were cast, of which Alonzo Tanner received fourteen votes. And the said Alanzo Tanner having received the whole and all of the votes cast, was declared duly appointed Police Justice of the city of Buffalo to fill vacancy.

Ald. Bemis here appeared and called for the reading of the proceedings of this meeting of the Council so far as the same had progressed.

Whereupon the City Clerk read the proceedings as called for by Ald. Bemis.

Ald. Bemis then rose and commenced to make a verbal protest on the action taken by the Council in relation to the subject of Police Justice to fill vacancy.

The Chair stated to Ald. Bemis that he must reduce his protest to writing.

Ald. Bemis then presented the following protest in writing:

Whereas. This Council is convened to-day pursuant to adjournment, for the purpose of closing unfinished business, which has long been before the Council for its action thereon, and the representations at the time of adjournment on Monday last were, that this meeting would be for that purpose only. Therefore, it is improper and unjust for the Council, in the last moments of its official existence, to enter upon the transaction of other business than that which has long been before the Council. And as no pressing necessity exists at this time to justify this Council in proceeding to the election of Police Justice or policemen, or Clerk to Chief of police, except that it be to gratify one of a political nature—and to serve the behests of the party—I would therefore protest against the action of the Council, at this time, in appointing the officers above referred to,

Ald. Rutter was excused from further attendance at this meeting.

PETITIONS.

Of S. G. Bailey, for declaration of sale on lot east side of Chestnut street, 216 feet front by 75 feet deep, commencing 86½ feet north of South Division street.

Of H. Blodgett, for declaration of sale.

Of Barnard Heyman, for reduction of tax on personal property.

Of Allen Brown, to have tax sale discharged.

Geo. A. Deuther for relief of Taxes. Referred to Committee on Finance.

ACCOUNTS REFERED.

Felthousen & Russell, for sundries for schools.
W. H. Peabody, " " " "
Hamlin & Mensden, " " " "
Farnham & Hodge, " coal " "
John Wild, for labor, &c., School House No. 15.
Valentine Bibus, for work at schools.
Julius Walker, for repairing clocks for schools.
W. Chase & Son, for furniture for School No. 14.
W. Emmons, for work &c., for schools. Referred to Committee on Schools.

John Erb, for labor cleaning paved streets.

Philip Shau, two accounts, for labor cleaning paved streets,

John Fisher, for labor cleaning paved streets.
Geo. Fisher, " " " " "

A. D. Morton, for repairing Jefferson street, between Swan and South Division streets.

Same, for repairing Emslie street, about 300 feet south of Howard street.

Same, for repairing Hamburgh from northerly line of Perry street, to the northerly line of Elk street.

Isaac Holloway, for repairing culvert across Allen street, on the westerly side of Delaware street.

Same, for opening gutter southerly side of Huron street, between New York Reservation line and Niagara street.

Geo, Miller, for repairing High street, between Mulberry and Locust streets.

Same, for repairing Pratt street, between Clinton and William streets,

F. Scheiffer, for reconstruction of wood culvert across Carlton street, easterly side of Maple street.

W. I. Williams, for repairing bridge across the Erie canal on Evans street.

Ritt & Hofner, for repairing Van Renssalear street, from Elk street to a point 400 feet northerly. Referred to Committee on Streets.

W. I, Williams, for repairing sidewalk on north west side of Hudson street, between Fifth and Sixth streets.

Same, for repairing sidewalk on northeasterly side of Ninth street, between York and Vermont streets,

Same, for repairing sidewalk on northeasterly side of Ninth street, between Vermont and Rhode Island streets,

Same, for repairing sidewalk on southerly side of Cazenovia Terrace, between Lock and Seneca streets.

Same, for repairing sidewalk on southeasterly side of Georgia street, between 50 feet westerly from Fifth street.

F. Scheiffer, for constructing plank crosswalk across Carlton street, on west side of Oak street.

Same, for reconstructing plank crosswalk across Spring street, on southerly side of Batavia street,

Same, for repairing sidewalk on east side Walnut street, between Sycamore and Batavia streets,

L. Williams, for repairing sidewalk on southerly side of Fulton street, between Chicago and Ohio Basin Slip.

Joseph Churchyard, for repairing sidewalk, on westerly side of Hickory street, between William and Clinton streets.

A. D. Morton, for repairing sidewalk on northerly side of South street, between Tennessee and Vandalia streets.

Isaac Holloway, for filling sidewalk on westerly side of Niagara street, between Austin and Hamilton streets. Referred to Committee on Side and Crosswalks.

D. Kissick, for disbursments.

Thomas B. French	for repairs	for Fire	Dep't.	
Bangasser Bros.	"	"	"	"
Geo. Day,	"	"	"	"
Wm. Taylor,	"	"	"	"
W. I. Williams,	"	"	"	"
Sidney, Shepard & Co.	"	"	"	"
Henry Swartz,	"	"	"	"
Lewis Geib,	"	"	"	"
Fred. Scheffer,	"	"	"	"
John D. Smith, & Co,	"	"	"	"
H. S. Riddle, for washing for			"	"
Donald Thane,	"	"	"	"
Fred Joset,	"	"	"	"
Nick Nipper,	"	"	"	"

H. S. Chamberlain, for one wagon tongue for Fire Department.

Wardwell, Webster & Co., for oil for Fire Department.

Marsh & Co., for oats, &c., for Fire Department.

J. J. Leader, for shoeing horses for Fire Department.

Jacob Gerlack, for glazing for Fire Department.

Felthousen & Russell, for sundries for Fire Department.

Pratt & Co., " " " "

Paul Ryan, for 1 horse for Fire Department.

Race, Mathews & Co., for hydrant for Fire Department.

Farnham and Hodge, for coal for Fire Department. Referred to Committee on Fire.

P. Bender, 7 ac., for advertising for city offices.

Hiram Atwood, for disbursments.

Hamlin & Mendsen, for cloth for Council Chamber.

Geo. A. Moore, for services as Inspector of election.

F. A. Alberger, for disbursments.

Breed, Butler & Co. for stationery.

H. Milring, for use of room for election purposes.

James Corner, for services in Treasurer's office.

Elijah Wells, for cleaning city offices.

R. Wheeler & Co., for advertising for city printing.

L. Burton, for livery for Mayor's office. Referred to Committee on Claims.

Warren Lampman, 2 accts, for services, &c.

Pratt & Co., for hardware for Police Department.

C. & G. Husted, for setting glass for Police Department.

George Orr, for commitments. Referred to Committee on Police.

C. Booram, for disbursements for market.

B. Schoneman, for repairs,&c., at market. Referred to Committee on Markets.

John Erb, for work in Johnson Park.

Same, for work in Franklin Square. Referred to Committee on Public Grounds.

Buffalo Gas Light Co., for gas for public buildings.

Same, for gas for street lamps.

James Turner, for lighting, &c., lamps. Referred to Committee on Public Lamps.

W. I. Williams, for repairing bridge across William street, between N. Y. C. R. R. and N. Y. & E. R. R.

Same, for repairing wood culvert across Connecticut street, on northeasterly side of Sixth street.

Same, for repairing bridge across Cazenovia Creek, on White's Corners Plank Road.

Isaac Holloway, for sewer in Hamilton street, from Erie Canal to Niagara street.

Fred. Scheffer, for repairing wood culvert across Best street, easterly side of Walden street.

Wm. Farmer, Jr., for repairing bridge across Scajaquada Creek, on Delaware street. Referred to Committee on New Territory.

ACCOUNTS ALLOWED.

Samuel Green, for services as keeper Prospect Hill Parks—$26 00.

Wm. Mensch, for removing dirt from paved streets, balance—$866 65.

Charles Brashart, for services as Street Inspector for December—$32 50.

Jacob Sohn, for same—$32 50.

John Drexler, for same—$32 50.

F. C. Schmelzer, for same—$32 50.

John B. Sewell, for same—$32 50.

REPORTS OF COMMITTEES.

Ald. Hopkins, from Committee on finance reported in favor of the adoption of the following resolutions:

Resolved, That the petition of John H. Moore, asking to be relieved from a tax upon personal property be, and the same is hereby denied. Adopted.

That upon filing with the Comptroller the following named petitions, together with the proofs accompanying the same, the said Comptroller be directed to issue a Declaration of Sale to the said Wm. P. Fisher, and upon each of the Certificates, as hereinafter mentioned, in the form prescribed by the Charter, viz:

Of Wm. P. Fisher, for a Declaration of Sale on Tax Certificate No. 1333, of sale of June 23d, 1858, of lot on the west side of Oak street, part of outer lot No. 139, lying 22,81-100 feet north of Genesee street, being 40 feet front by 150 feet deep.

Of Wm. P. Fisher, for a Declaration of Sale on Tax Certificate No. 1096, of sale of June 23d, 1858, of lot on the south side of South Division street, part of outer lot, No, 104, lying 197 feet west of Cedar Street, being 63 feet front, by 120 feet deep, Adopted.

Ald. Wheeler, from the Committee on Schools, reported in favor of allowing the following accounts, and of drawing orders for the same.

H. H. Otis, for library books for schools—$62 50.

Geo. Orr, for sundries for School No. 28—$5 18.

Levi J. Waters, for wood for schools—$11 86.

Valentine Bibus, for sawing wood for schools, $36 87

Elder & Stearns, for mats for schools—$10 50. Adopted.

Also reported in favor of the adoption of the following resolution:

Resolved, That the Superintendent of Schools and Chairman of the School Committee be and are hereby authorized to transfer the seats now in the third story of Public School No. 31 to the second story thereof, and to provide new seats for the third department, with such other and necessary furniture as may be required for the opening of an Intermediate Department in School No. 31. Adopted.

Ald. Swarts, from the Committee on side and crosswalks, reported iu favor of directing the City Assessors to make assessments as follows:

Assess $100 for repairing the sidewalk on the northerly side of Seneca street, between Emslie street and a point 429 feet west of Aurora Plank Road. Adopted.

Assess $79 86 for repairing the sidewalk on the southerly side of Miami street, between Alabama street a point 500 feet westerly therefrom. Adopted.

Assess $27 78 for repairing the sidewalk on the southerly side of Perry street, between Hamburgh and Red Jacket streets. Adopted.

Assess $28 80 for repairing the sidewalk on the westerly side of Hamburgh street, between Perry street and the bridge crossing the ditch at the head of the Main and Hamburgh street canal. Adopted.

Assess $17 32 for repairing the sidewalk on the easterly side of Chicago street, between Miami and Ohio streets. Adopted.

Assess $17 70 for repairing the sidewalk on the south side of Seneca street, between Hydraulic and VanRenssalear streets. Adopted.

Assess $3 06 for repairing the sidewalk on the westerly side of Hamburgh street, between Fulton and Elk streets. Adopted.

Assess $15 66 for repairing the sidewalk on the northerly side of Ohio street, between Columbia and Michigan streets. Adopted.

Assess $15 98 for repairing the sidewalk on the northerly side of Lock street between Erie street and Cazenovia Terrace. Adopted.

Assess $22 20 for repairing the sidewalk on the southerly side of Lock street, between Erie street and the Terrace. Adopted.

Assess $67 04 for constructing a stone crosswalk across Emslie street, on the northeasterly side of Swan street. Adopted.

Also reported in favor of allowing the following account and drawing order for same.

Geo. Miller, for repairing the crosswalk across Batavia street, on the westerly side of Pine street—$8 48. Adopted.

Also reported in favor of the adoption of the following resolution:

That the Street Commissioner cause crosswalk across South Division street, on the westerly side of Washington street, to be repaired at an expense not to exceed $10. Adopted.

Ald. Grass here appeared and took his seat.

Ald. Yaw from the Committee on Fire, reported in favor of allowing the following accounts, and drawing orders for the same:

T. B. French, for repairs for Fire Department—$36 12.

Sidney Shepard & Co., for same—$3 63.

John Lorenz, for labor, &c., at engine house No. 7.—$2 80.

T. B. French, for hose cart for Fire Department—$124 00.

Sage & Tuckner, for sundries for same—$3 94.

Geo. Orr, for hay for same—$28 15.

Marsh & Co., for feed for same—$14 10. Adopted.

Also reported in favor of the adoption of the following resolutions:

Resolved, That an order be drawn in favor of Sidney Shepard on the General Fund, 1861, Fire Department, for $13 92, being balance due on his account for sundry repairs for the Fire Department, after deducting $150 for old hose, sold to said Shepard by the Fire Marshal on behalf of the city. Adopted.

That an order on the General Fund, 1861, Fire Department, for $100, be drawn in favor of Henry Swartz and Frederick Schieffer in full payment for constructing a brick barn in the rear of the house formerly occupied by engine Co. No. 3 on Genesee street.—Adopted.

That the Fire Marshal be and he is hereby authorized to purchase of Wm. Taylor 52 feet of extra quality double copper rivited Philadelphia oak tanned leather hose at a price not exceeding $1 10 per foot. Adopted.

Ald. Jones, from the Committee on Water, reported in favor of allowing the following accounts, and of drawing orders for same:

Buffalo Water Work Co,, for repairing and setting hydrants—$29 88.

Buffalo Water Works Co., for supply of water for quarter ending Dec. 31, 1861		$5,000 00
Interest on cost of special extension,	$1,535 07	
Less receipts for quarter,	474 01—	1,061 06
Total		$6,061 06

Adopted.

Also reported in favor of directing the City Assessors to assess $28 for repairing and maintaining the public well and pump No. 134, located on the north side of South Division street, between Spring and Jefferson streets. Adopted.

Ald. Wheeler, from the Committee on Claims, reported in favor of allowing the following accounts, and of drawing orders for same:

James Inglis for extra services in the Comptroller's office, amount claimed $672, allowed $448.

A. M. Clapp & Co., for advertising for Common Council and Clerk; amount claimed $915 66, allowed, $867 46.

P. H. Bender, for advertising for Market Committee—$8 25.

Same, for advertising for Surveyor—$11 58.

Same, for advertising for Street Commissioner—$10 64.

Same, for publishing Common Council proceedings from Oct. 1st to Dec. 31, 1861—$137 50.

W. Stern, for services as inspector of election, 3d district, 6th Ward—$6.

Jacob Heimenz, for same—$6.

Andrew Johnston, for services as poll clerk, 3d district, 6th Ward—$6.

Adam Wick, for same—$6.

Otis F. Presbrey, for disbursements Board of Health—$4 50.

Same, for disbursements in transmission of City Charters—$2 50.

J. S. Leavitt, Agent, for blank books for Clerk of the Superior Court—$63 25.

Michael McConnell, for wood for City Hall—$15 00.

Irr & Irlbacher, for repairs at city Hall and Police Stations—$2 75.

Jno. D. Smith & Co., for sundries for Jubilee Water Works—$16 47.

Elijah Wells, for amount paid for cleaning City Offices, allowed at—$10 00.

Harriet Atwood for cleaning City Offices—$7 75.

Breed, Butler & Co., for stationery &c., for Mayor's Office—$9 36.

Same, for same, for City Clerk's Office, allowed at—$12 21.

J. L. Chichester, for blank books for City Clerk's Office and Police Department—$33 25

Ensign Bennett, for services in Surveyor's Office in 1855—$250 00. Adopted.

Ald. Mills, from the Committee on Police, reported in favor of allowing the following accounts, and of drawing orders for same:

Geo. Drullard, for disbursements—$12 08.

Breed, Butler & Co., for stationery for Chief of Police—$19 63. Adopted.

Also, in favor of drawing an order for $20 91, in favor of Martin Zimmer, for pay as policeman for 19 days, lost during sickness. Adopted.

Also, in favor of the adoption of the following resolution:

That the action of the Chief of Police, of the appointment of Wm. Robinson as clerk in his office, be confirmed by this Council.

Ald. Adams moved the previous question which was ordered.

The question was then taken on the adoption of the said resolution, and pending the calling of the ayes and noes thereon.

Ald. Bemis rose to explain his vote, and stated that he should vote against the adoption of the said resolution, for the reason that the Common Council had no power vested in them by the provisions of the City Charter, by which they could appoint a clerk to the Chief of Police, as proposed in said resolution.

The said resolution was adopted by the following vote. Ayes, 14; Noes, 3.

Ald. Hopkins moved that the Council do now adjourn. Carried.

The Chairman declared the Common Council adjourned until next monday morning, January 6th, 1862, at 9 o'clock.

OTIS F, PRESBREY, City Clerk.

MINUTES No. 47.

CORPORATION PROCEEDINGS.

IN COMMON COUNCIL,
BUFFALO, Monday. Jan. 6, 1862,
9 o'clock, A. M.

Present—Asaph S. Bemis, President of the Council, and Aldermen Adams, Allen, Beckwith, Brush, Crowder, Dayton, Dorr, Felton, Goembel, Grass, Hannovan, Hopkins, Jones, Mills, Palmer, Russell, Rutter, Savage, Storck, Scheu, Wheeler, Walsh, and Yaw.

Absent—Aldermen Swartz.

The reading of the minutes of the last meeting being in order,

Ald. Adams moved that the same be approved without reading.

Ald. Bemis objected to their approval without reading.

The motion of Ald. Adams was then lost—ayes 13, noes 8.

The Clerk then read the minutes of the last meeting.

Ald. Felton was called to the Chair.

Ald. Bemis moved that the minutes be corrected, by inserting the following protest from Ald. Bemis at the proper place:

Whereas, This Council is convened to-day pursuant to adjournment, for the purpose of closing unfinished business, which has long been before the Council for its action thereon, and the representations at the time of adjournment on Monday last were, that this meeting would be for that purpose only. Therefore, it is improper and unjust for the Council, in the last moments of its official existence, to enter upon the transaction of other business than that which has long been before this Council. And, as no pressing necessity exists at this time to justify this Council in proceeding to the election of Police Justice or policemen, or Clerk to Chief of Police, except that it be to gratify one of a political nature—and to serve the behests of the party—I would therefore protest against the action of the Council, at this time, in appointing the officers above referred to.

Ald. Wheeler moved that the City Clerk be heard on the subject. Carried,

The City Clerk then addressed the Council.

The question was then taken on the motion of Ald. Bemis and the same was carried.

Ald. Bemis moved that the minutes be further corrected so that they shall show that he was present when the certificate of canvas of votes given for the office of Police Justice, to fill vacancy were being signed, and that he did not sign such certificate. Lost—ayes, 9; noes, 14.

Ald. Adams then moved that the minutes of the last meeting as this day corrected be now approved. Carried.

The President resumed the Chair.

Ald. Adams offered the following:

Resolved, That the Council proceed to canvass the returns of the last General Election held in the several Wards in the City of Buffalo, on the 5th day of November, 1861. Adopted.

The City Clerk then laid before the Council, the certificates of the Inspectors of Election of the several Election Districts of the City of Buffalo, of the result of the annual City Election, held in said City on the 5th day of November, 1861, and also a tabular statement showing such result.

Ald. Felton offered the following:

Resolved, That the several persons having the greatest number of votes for the several offices required to be filled at the late election, as they appear in the tabular statements, be and they are hereby declared duly elected.

Ald. Adams offered the following, as a substitute for the resolution offered by Ald. Felton:

Resolved, That the persons receiving the greatest number of votes at the late Annual Election held in the City of Buffalo, for the respective offices, as shown by the tabular statement of the Clerk—except Wm. A. Sutton as an Alderman from the 7th Ward—be, and they are hereby declared duly elected to such respective offices.

Ald. Adams withdrew the substitute offered by him.

Ald. Adams then moved to amend the resolution offered by Ald. Felton, by inserting after the word "required," the words "by the notice of the City Clerk."

Ald. Adams moved the previous question, which was ordered. Ayes, 14; Noes, 10.

The motion of Ald. Adams was then carried. Ayes, 14; Noes, 10.

The question was then taken on the resolution of Ald. Felton, as amended by the motion of Ald. Adams, and the same was adopted. Ayes, 18; Noes, 6.

The following certificate was then signed by all the Aldermen present:

We, the Common Council of the City of Buffalo, in the County of Erie and State of New York, do certify that the following is a correct statement of the result of the Annual City Election, held in said City of Buffalo on the fifth day of November, in the year of our Lord one thousand, eight hundred and sixty-one, viz:

That the whole number of votes given for the office of Justice of the Superior Court, was ten thousand, three hundred and nineteen: Of which Isaac A. Verplanck received ten thousand, three hundred and thirteen; and Albert S. Merrill received one; and Blank received two; and John P. Greisen received one; and George Hinson received one; and Henry W. Faxon received one: and the said Isaac A. Verplanck having received the greatest number of votes, is hereby declared duly elected Justice of the Superior Court of said city.

The whole number of votes given for the office of Mayor was ten thousand, two hundred and thirty-seven: Of which William G. Fargo received five thousand, seven hundred and thirty-two; and James Adams received four thousand, four hundred and eighty-one; and Blank received fifteen; and William Fargo received one; and W. G. Fargo received two; and Fargo Express received one; and Richard Flach received one; and Fargo received two; and Michael Murray received one; and C. O. Poole received one; and the said William G. Fargo having received the greatest number of votes, is hereby declared duly elected Mayor of said city.

The whole number of votes given for the office of Comptroller was ten thousand, two hundred and thirty-nine: Of which Peter M. Vosburgh received five thousand, five hundred and eighty-nine; and Austin A. Howard received four thousand, six hundred and twenty-six; and Blank received nineteen; and Gen. Beauregard received one: and Francis F. Curry received three; and J. S. Trowbridge received one; and the said Peter M. Vosburgh having received the greatest number of votes, is hereby declared duly elected Comptroller of said city.

The whole number of votes given for the office of City Attorney was ten thousand, two hundred and twenty-one: Of which Harmon S. Cutting received five thousand, five hundred and twenty-nine; and John Norris received four thousand, six hundred and seventy-one; and Blank received nineteen; and John Topping received one; and H. S. Cutting received one; and the said Harmon S. Cutting having received the greatest number of votes, is hereby declared duly elected City Attorney of said city.

The whole number of votes given for the office of Street Commissioner was ten thousand, one hundred and sixty-eight: Of which James O'Brian received five thousand, three hundred and ninety-one; and David Kissock received four thousand, seven hundred and forty-one; and Blank received sixteen; and James O'Brien received seventeen; and James O'Bryan received two; and John Bidwell received one; and the said James O'Brian having received the greatest number of votes, is hereby declared duly elected Street Commissioner of said city.

The whole number of votes given for the office of City Treasurer was ten thousand two hundred and seventy-five; of which Joseph K. Tyler received five thousand one hundred and ninety-nine; and John S. Trowbridge received five thousand and sixty-three; and Sackett received one; and blank received ten; and J. K. Tyler received one; and Trowbridge received one. And the said Joseph K. Tyler, having received the greatnest number of votes is hereby declared duly elected City Treasurer of said city.

The whole number of votes given for the office of Receiver of Taxes was ten thousand two hundred and thirty-four; of which Jacob Domedian received five thousand four hundred and thirty-two; and Jacob Frederick Swartz received four thousand seven hundred and sixty-four; and John H. Bidwell received two; and John W. A. Meyer received one; and blank received six; and J. Frederick Swartz received twenty; and J. F. Swartz received one; and Jacob F. Swartz received one; and Domedian received one; and Swartz received one; and F. Swartz received three; and Fred Swartz received two. And the said Jacob Domedian, having received the greatest number of votes is hereby declared duly elected Receiver of Taxes of said city.

The whole number of votes given for the office of City Surveyor was ten thousand two hundred and thirty-three; of which Francis F. Curry received five thousand two hundred and seventy-two; and Ansel Wright received four thousand seven hundred; and Peter Elmsley received one; and Peter Emslie received two hundred and thirty-three; and Peter Emsly received four; and blank received sixteen; and Curry received one; and Peter Imsley received two; and F. F. Curry received one; and Emsley Wright received two; and E. Wright received one. And the said Francis F. Curry having received the greatest number of votes is hereby declared duly elected City Surveyor of said city.

The whole number of votes given for the office of Superintendent of Schools was ten thousand two hundred forty-eight; of which John B. Sackett received five thousand five hundred and ninety-eight; and Otis F. Presbrey received four thousand six hundred and thirty-three; and Auther Mullin received one; and blank received seven; and J. B. Sackett received three; and John Sackett received three; and Sackett received two; and Jacob Frederick Swartz received one. And the said John B. Sackett having received the greatest number of votes is hereby declared duly elected Superintendent of Schools of said city.

The whole number of votes given for the office of Overseer of the Poor was ten thousand two hundred and sixty-seven: of which John McManus received five thousand two hundred and thirty-five; and Peter Baxter received five thousand and six; and John H. Bidwell received one; and Blank received sixteen; and James O. Brian received one: and Michael Mesmer received three; and George Zillig received one; and John Porter received one; and Lyman B. Smith received one; and F. A. Alberger received two. And

the said John McManus, having received the greatest number of votes, is hereby declared duly elected Overseer of the Poor of said City.

The whole number of votes given for the office of Assessor was ten thousand two hundred and sixty-three: of which John H. Bidwell received five thousand two hundred and seventy-seven; and John W.A. Meyer recived four thousand nine hundred and sixty-six; and J. H. Bidwell received one; and Blank received twelve; and John Bidwell received one; and Jacob Domedian received four; and J. F. Swartz received two. And the said John H. Bidwell, having received the greatest number of votes, is hereby declared duly elected Assessor of said City.

The whole number of votes given for the office of Justice of the Peace was ten thousand two hundred and sixty two: of which Cyrenius C. Bristol received five thousand five hundred and seventy-four; and John P. Griesen received four thousand six hundred and seventy-four; and Blank received nine; and C. C. Bristol received three; and D. R. Williams received one; and Cornelius A. Waldron received one; and the said Cyrenius C. Bristol having received the greatest number of votes is hereby declared duly elected Justice of the Peace of said City.

The whole number of votes given for the office of Justice of the Peace for the Seventh, Eleventh and Twelfth Wards was ten thousand and two hundred and sixty: Of which George Talbot received five thousand three hundred and five; and David R. Williams received four thousand nine hundred and thirty-two; and Peter M. Vosburg received one; and Talbot received three; and Blank received thirteen; and Alonzo Tanner received one; and Mitchell received one; and John P. Griesen received three; and Cyrenius C. Bristol received one; and the said George Talbot, having received the greatest number of votes is hereby declared duly elected Justice of the Peace for Seventh, Eleventh and Twelfth Wards of said City.

That the Alderman so elected in the several Wards of said City were as follows:

In the First Ward—John Hanavan.
In the Second Ward—James B. Dubois.
In the Third Ward—Samuel D. Colie.
In the Fourth Ward—Orson C. Hoyt.
In the Fifth Ward—Charles Beckwith.
In the Sixth Ward—Paul Goembel.
In the Sexenth Ward—Frederick Bangasser.
In the Eighth Ward—Robert Mills.
In the Ninth Ward—Edward S. Warren.
In the Tenth Ward—George R Yaw.
In the Eleventh Ward—Jacob Crowder.
In the Twelfth Ward—Peter Burgard.
In the Thirteenth Ward—Rodney M. Taylor.

That the Constables so elected in the several Wards of said City were as follows:

In the First Ward—Mort O'Brien.
In the Second Ward—Lorenzo D. Shawl.
In the Third Ward—Louis Otto.
In the Fourth Ward—Carle Anderson.
In the Fifth Ward—John Grobe.
In the Sixth Ward—Michael Kester.
In the Seventh Ward—Theodore Selle.
In the Eighth Ward—Peter Dietrich.
In the Ninth Ward Henry McLane.
In the Tenth Ward—Samuel W. Bagnall.
In the Eleventh Ward—Levi D. Jerome.
In the Twelfth Ward—Henry Ziegle.
In the Thirteenth Ward—Orris Martin.

That the Supervisors so elected in the several election districts of said city were as follows:

In the First Ward, first district—Maurice Courtney.
Second district—James Fleeharty.
Third district—John O'Donnell.
Second Ward, first district—William M. Scott.
Second district—Amos Morgan.
Third district—James S. Lyon,
Third Ward, first district—James P. Bennett.
Second district—John Stearn.
Fourth Ward, first district—Beers W. Skidmore.
Second district—Philip G. Lorenz.
Third district—Frank Fisher.
Fifth Ward, first district—James S. Irwin.
Second district—Henry Nauert.
Third district—George Baldus.
Sixth Ward, first district—Jacob H. Pfohle.
Second district—John Haller.
Third district—Felix Bieger.
Seventh Ward, first district—George Richert.
Second district—Adam Weller.
Third district—Henry Betz.
Eighth Ward, first district—Francis H. Myers.
Second district—Dennis M. Enright.
Ninth Ward, first district—George P. Barker.
Second district—William Ring.
Tenth Ward, first district—James Libby.
Second district—Joseph Candee,
Eleventh Ward, first district—Thomas R. Stocking.
Second district—Alfred H. Giddings.
Twelfth Ward, first district—Christopher Laible.
Second district—John A. Smith.
Thirteenth Ward—Daniel M. Joslyn.

That the Inspectors of Election so elected in the several election districts of said city were as follows:

First Ward, first district—Thomas Edmonds, Francis S. Craig, James A. Mugridge—designated by the Board.

Second district—Herman Ohlmer, William Fuller, Alexander H. Brown—designated by the Board.

Third district—George W. Clark, Truman H. Warner, William D. Morgan—designated by the Board.

Second Ward, first district—Orange W. Clark, James Boyd.

Second district—Henry Lovejoy, Abel G. Morgan, Charles J. Hubbard—designated by the Board.

Third district—Norman H. Barnes, William H. Blodgett, Lorenzo D. Wilber—designated by the Board.

Third Ward, first district—Rodolph W. Ransom, Fitch D. Adams, Peter Danner—designated by the Board.

Second district—Ansel W. Becker, William Rose, William N. Barnes—designated by the Board.

Fourth Ward, first district—Bernhardt Schickel, Charles W. Colyer, Jacob Dorst—designated by the Board.

Second district—John Chretien, William A, Dobinson, Lewis P. Adolph—designated by the Board.

Third district—George Moesinger, Henry P. Pfeifer, John Fleming—designated by the Board.

Fifth Ward, first district—Peter Rechtenwalt, Francis P. Billings, William Wendt—designated by the board.

Second district—Nicholas Wagner, Sebastian Schwabel, Charles Weber—designated by the board.

Third district—John Hills, Philip Pfeil, Jacob Metz—designated by the board.

Sixth Ward, first district—John R. Walter, Frederick Loosen, Henry Swartz—designated by the board.

Second district—Michael Beck, Adam Schnerdawind, William Rinck, designated by the board.

Third district—Jacob Anweiler, Wendle Stern, Andrew Johnson—designated by the board.

Seventh Ward, first district—Lucian Hawley, John N. Eberhart.

Second district—Leavitt F. Bissell, Peter Frank, Michael Lang—designated by the board.

Third district—Anton Jerge, Ernst Neitman, Frederick Schmelzer—designated by the board.

Eighth Ward, first district—Hamilton Courter, William Clingan, John Roffo—designated by the board.

Second district—M. P. Wellman, George H. Smith, Henry C. Persch—designated by the board.

Ninth Ward, first district—Charles Pickering, James F. Demarest, Lebbeus Judson—designated by the board.

Second district—James D. G. Stevenson, Henry H. Clapp, John D. Smith—designated by the board.

Tenth Ward, first district—Samuel Ward, Daniel H. Wiswell, Henry Wheeler.

Second district—John Walls, James Inglis, Ephraim S. Havens—designated by the board.

Eleventh Ward, first district—Abner H. Bryant, William Hodge, John Bissell—designated by the board.

Second district, George Scherer, James Corns, Casper Hoffmeyer—designated by the board.

Twelfth Ward, first district—William Post, George Argus, Albert H. Blossom—designated by the board.

Second district—John Ambrose, Jacob Wolffer, Thomas J. Smith—designated by the board.

Thirteenth Ward—Almus T. Patchin, William Hammersmith, George L. Fattey—designated by the board.

In witness whereof we have hereto subscribed our names, at Buffalo, this sixth day of January, A. D., 1862

A. S. BEMIS, President of the Council.
JAMES ADAMS,
E. P. DORR,
ROBT. MILLS,
EDWARD STORCK,
NELSON K. HOPKINS,
JOEL WHEELER,
JACOB CROWDER,
ALEX. BRUSH,
L. P. DAYTON.
GEO. R. YAW,
EVERARD PALMER,
WASHINGTON RUSSELL,
C. BECKWITH,
THOS. RUTTER,
P. WALSH,
THOS. SAVAGE,
N. JONES,
ZADOC G. ALLEN,
ANDREW GRASS,
JOHN HANOVAN,
JACOB SCHEU,
PAUL GOEMBEL,
CHAS. E. FELTON.

His Honor, the Mayor, here appeared and addressed the Council.

The oath of office was then administered by His Honor, the Mayor, to Hon. William G. Fargo, Mayor elect; and by Mayor Fargo to the Aldermen elect and to such of the city officers elect as were present.

Ald. Felton offered the following.

Resolved, That we take great pleasure in expressing our obligation and thanks to Asaph S. Bemis for the gentlemanly, efficient and impartial manner with which he has presided over the deliberations of this body during the last year. Adopted unanimously.—Ayes, 22; Noes, 0.

Ald. Hannovan offered the following:

Resolved, That we take pleasure in expressing our obligations to O. F. Presbrey, Clerk of this body, for the efficient manner in which he has discharged his duties, and in tendering him our best wishes for his future prosperity. Adopted.

The minutes of the present meeting were then read by the City Clerk.

Ald. Felton moved that such minutes be approved. Carried.

The President then addressed the Council as follows:

Gentlemen of the Common Council:—In pursuance of the provisions of the City Charter, this Council is convened to-day for the purpose of canvassing the returns of the Inspectors of Elections, and to ascertain and certify who were elected at the last general election to the various city offices required to be filled at such election. This duty having been performed, it but remains for me to declare this Council dissolved.

But, gentlemen, I cannot allow our official relations with each other to thus terminate without availing myself of the opportunity here presented to express to you my very grateful thanks for the generous and honorable manner in which I have been upheld and sustained in the discharge of the duties that have devolved upon this Chair.

It is an old and true saying, that "to err is human;" and if, in the judgment of any member of this Council, I have erred in the discharge of my duty as its Presiding Officer, I beg that such member will be assured that it was the head, and not the heart, that erred.

It is, however, a matter of much satisfaction to me to reflect that, during the term I have occupied this Chair by your suffrages, I can call to mind no instance wherein my decisions and ruling upon your deliberations have been by you reversed.

For the very flattering compliment paid me in the resolution you have adopted, making such honorable mention of the manner in which I have discharged the duties of President of this Council, I beg to assure you, gentlemen, it but adds to the many honors and civilties hitherto received by me at your hands; and the remembrance of the sentiments expressed in the resolution will long find a place in my most treasured recollections.

Again thanking you for the many courtesies you have extended to me, I now declare our official relations at an end, and this Council dissolved.

OTIS F. PRESBREY, City Clerk,